

# PLANNING TOGETHER

**A New Comprehensive Planning  
Framework for New York City**



NEW YORK CITY COUNCIL SPEAKER

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## DEAR NEW YORKERS:

When the New York City Council started conversations about comprehensive planning, the City already faced significant challenges. From climate change and affordable housing and homelessness to economic and racial inequality and segregation, hunger and food insecurity, aging infrastructure, and disparate health outcomes—the City had its fair share of crises to tackle.

Today, COVID-19 has further exacerbated those urgent issues and disparities. Staggering death rates among Black and brown New Yorkers from COVID-19 are not the result of the City's density or subway ridership, as so many eagerly asserted at the outset of this crisis—they are the result of socioeconomic inequality and a complex web of racist and exclusionary policies that we have failed to sufficiently correct over the course of the last century. We have done much to outlaw policies like redlining and housing discrimination, but the legacy of those racist and exclusionary policies persists and harms New Yorkers each and every day. We—as a City—have collectively failed to acknowledge, let alone reform, the ways in which our planning processes have worsened inequality by serving the status quo.

This report explores why and how New York City's planning framework, or lack thereof, is inherently flawed. It is not a condemnation of planning—or the civil servants working hard to advance goals of equity and inclusion in their day-to-day work. Nor is it a condemnation of growth or new development. It is, however, a recognition that our land use processes are predominately reactive and as a result, New Yorkers with access, resources, and privilege will continue to have the upper hand in how decisions are made unless we work together to dismantle and rebuild the planning process.

The comprehensive planning proposal outlined in this report has been resisted by New York City officials for decades in favor of maintaining a piecemeal approach to planning that has largely neglected brown and Black neighborhoods, immigrants, people with disabilities, and low-income New Yorkers. I believe New York City is ready for change.

Comprehensive planning can uniquely center racial and economic justice within a full range of land use, budgeting, and policy tools towards the central goal of supporting equitable, inclusive growth. Instead of planning one neighborhood or site at a time, comprehensive planning will bring real, proactive land use and capital planning to every neighborhood. I believe that only this kind of integrated, citywide process is capable of peeling away the structural inequalities plaguing our City and confronting the challenges that lay ahead.

Comprehensive planning is by no means a panacea—it is, however, a strategy that experts across the globe agree best situates cities to correct historical inequities, apply lessons learned, and create new and innovative tools to tackle the issues of tomorrow. By engaging in proactive land use planning in every neighborhood, the City would develop a shared vision for long-term growth and infrastructure in partnership with communities to prioritize citywide needs, while simultaneously addressing neighborhood-specific ones.

COVID-19 provides just the most recent example of what happens when governments do not sufficiently plan ahead or address the underlying systems that perpetuate inequality in our City. We must learn from our past mistakes—in this crisis and beyond—to plan for a better future. The collaborative, integrative process laid out here will set us on a path toward a more just, inclusive, and resilient City.

Sincerely,



Speaker Corey Johnson



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# ACRONYM LIST

<b>AIMS</b>	Asset Information Management System
<b>AMI</b>	Area Median Income
<b>APA</b>	American Planning Association
<b>BCAS</b>	The School Construction Authority's Building Condition Assessment Survey
<b>CEQR</b>	City Environmental Quality Review
<b>CPC</b>	City Planning Commission
<b>DCP</b>	Department of City Planning
<b>DOE</b>	Department of Education
<b>DSNY</b>	Department of Sanitation
<b>EDC</b>	Economic Development Corporation
<b>EIS</b>	Environmental Impact Statement
<b>GEIS</b>	Generic Environmental Impact Statement
<b>HPD</b>	Department of Housing Preservation & Development
<b>MIH</b>	Mandatory Inclusionary Housing
<b>NYCHA</b>	New York City Housing Authority
<b>OLTPS</b>	Mayor's Office of Long-Term Planning and Sustainability
<b>OMB</b>	Mayor's Office of Management and Budget
<b>SCA</b>	School Construction Authority
<b>TYCS</b>	Ten-Year Capital Strategy
<b>ULURP</b>	Uniform Land Use Review Process
<b>VIH</b>	Voluntary Inclusionary Housing



# Executive Summary

# EXECUTIVE SUMMARY

## INTRODUCTION

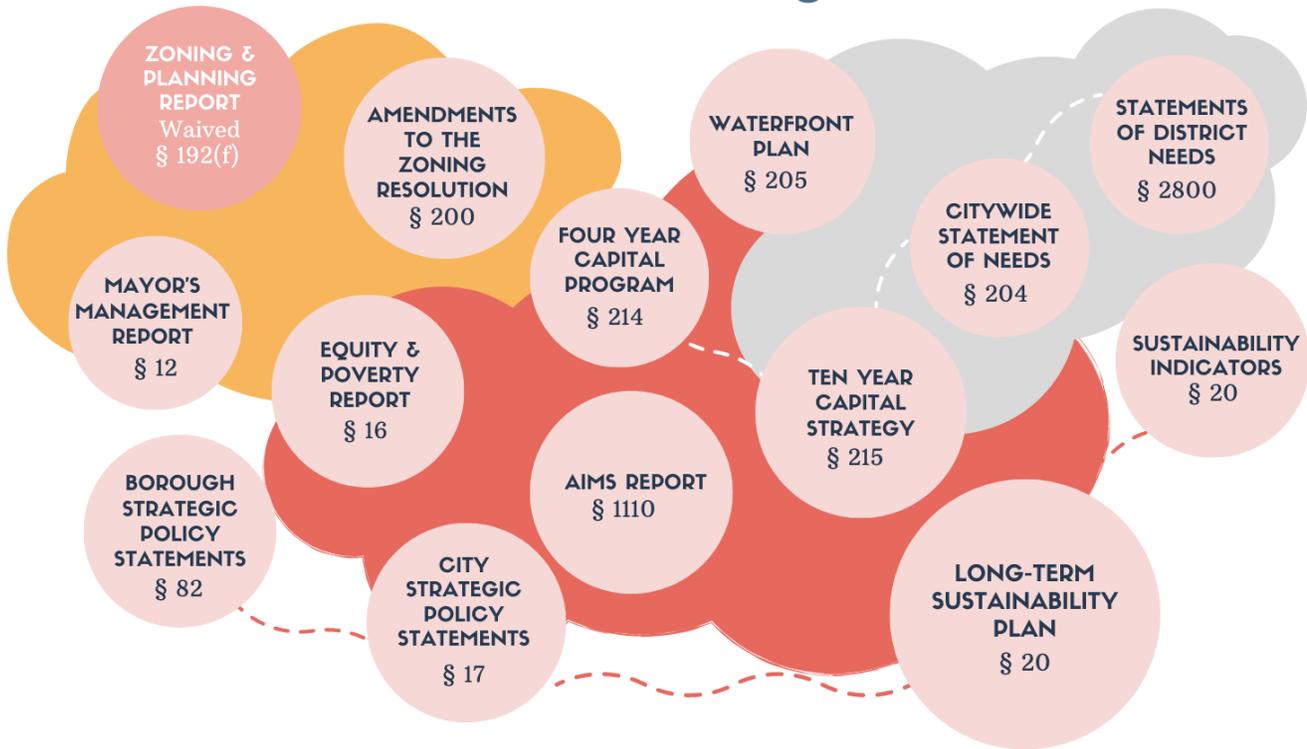
For over 100 years, New York City has taken a piecemeal approach to development and capital spending. As a result, our City has fundamentally failed to plan for its current and future challenges. Underlying inequities in the City's economy, housing market, and environment have produced disparate health outcomes for Black and brown communities who are suffering and dying at double the rates of white New Yorkers as a result of the coronavirus.<sup>1</sup> Our housing and homelessness crisis will only continue to worsen as we confront the highest rates of unemployment in this country's history since the Great Depression.<sup>2</sup> As the City faces a period of significant budget constraints as a result of COVID-19, a backlog of capital needs continues to grow by billions of dollars as our 19th and 20th century infrastructure degrades.<sup>3</sup> And by 2100, many neighborhoods including Coney Island, Jamaica Bay, the Rockaway Peninsula, the South Shore of Staten Island, Red Hook, and parts of Lower Manhattan, are expected to flood every day at high tide due to sea level rise.<sup>4</sup>

These challenges are big and extremely complex—but we did not get here overnight. It has become increasingly clear that the process by which the City makes its land use, policy, and budget decisions is ill equipped to address the existential threats that face our City today and over the next several decades.

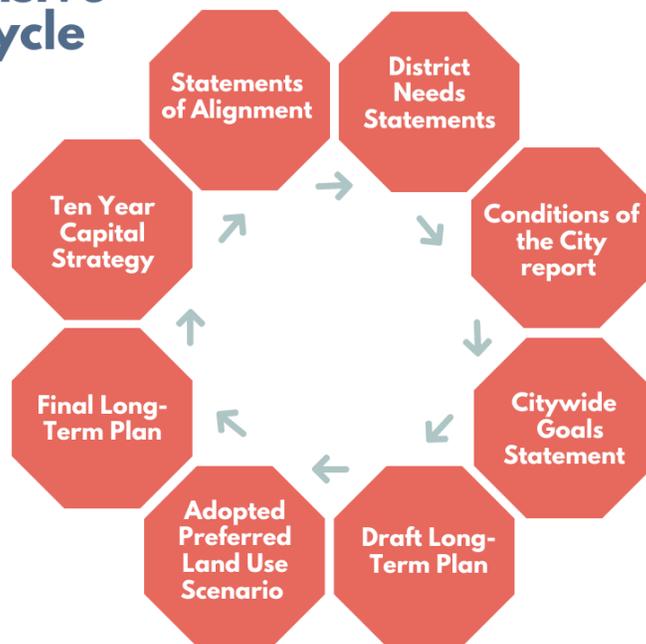
New York City is now faced with a choice. We can continue to ignore how our increasingly contentious and insufficient planning regime undermines New York City's ability to equitably respond to crises, adapt, and grow. Or we can adopt a new approach—a cyclical, integrated comprehensive planning process that cities all across the globe use to center equity and inclusion as they balance citywide and community needs to confront challenges together.

This report reviews the history of planning in New York City, explores the failures of our current planning framework, and identifies trends and national best practices in comprehensive planning. The report concludes with a proposal for a new comprehensive planning framework for New York City designed specifically to help correct neighborhood disparities and decades of disinvestment in communities of color and support equitable growth to create a more resilient and inclusive City.

# NYC's Current Planning Framework



## Proposed Ten-Year Comprehensive Planning Cycle



A new ten-year Comprehensive Planning Cycle would connect the disjointed documents, processes, and reports already required by the NYC Charter to create one citywide strategic framework and vision for the City's future growth and development

## KEY ISSUES SUMMARY

### Fragmented and insufficient planning mandates

While the New York City Charter requires many reports and processes related to planning, the City has no requirement to actually plan – to holistically examine the existing conditions of our city, identify challenges, opportunities, and goals, and propose policies to address and achieve them. Instead, New York City’s goal-setting documents are scattered across several disconnected Charter mandates, raising issues of public transparency and accountability. The long-term planning mandates that do exist—such as PlaNYC/OneNYC—insufficiently assess the City’s needs and fail to effectively coordinate citywide goals with the City’s land use and budget planning processes.

This lack of coordination makes it difficult to integrate goals pertaining to equity and inclusion into our land use and budget planning processes—which arguably have the most tangible impact on New Yorkers’ built environment and lived experiences—and leaves us without any meaningful mechanism to track the completeness or efficacy of those goals.

### Lack of coordination across agencies

Increased coordination across City agencies is critically important as the City faces significant budget constraints as a result of the COVID-19 crisis—we cannot afford the inefficiencies and redundancies across City agencies that undermine our ability to achieve citywide goals. At present, there is no regularly occurring opportunity or mandate for City agencies to coordinate or collaborate. As a result, our current citywide planning framework—or lack thereof—creates inefficiencies in how the City operates, limits innovative multi-disciplinary policymaking, and undermines New York City’s ability to achieve broader citywide goals of sustainability and equity.

### Insufficient proactive planning for our neighborhoods

The City’s approach to updating the Zoning Resolution on a neighborhood-by-neighborhood

basis without a clear citywide vision or process rooted in equity also contributes to a growing distrust of government and a sense among community stakeholders that the City is unfairly targeting certain neighborhoods to bear the burdens of growth in exchange for long overdue investments in schools, child care centers, street safety improvements, parks, and playgrounds.

There are few broader conversations about where growth should or should not go to undo the harms of the City’s historically piecemeal approach to planning and zoning, citywide. Only this year, with the City’s “Where We Live” report on fair housing, have City agencies begun to publicly consider how better planning might help rectify decades of neglect, insufficient tenant protections, and disinvestment in communities of color. For Black, indigenous, and people of color, there are rarely if ever conversations about what people actually want to see in their neighborhoods—there are only conversations about how much to mitigate future harms. Without structural mechanisms to proactively plan for growth or development, communities are pushed into reactionary and defensive positions, contributing to a contentious land use review process that fails to foster equitable growth or sufficiently invest in our neighborhoods.

### Uneven zoning landscape that exacerbates socio-economic inequality

The City’s piecemeal approach to planning responds best to the neighborhoods with resources to agitate for change, which has resulted in an uneven, unequal, and unfair distribution of zoning policy—and the de-prioritization of the needs of low-income people, immigrants, and people of color. Over the last several decades, many of New York’s well-resourced neighborhoods have successfully advocated for restrictive and exclusionary zoning that prevents the development of critically needed affordable housing in transit-rich neighborhoods.

Meanwhile, less privileged communities with fewer resources to organize have often either been left with outdated zoning that encourages car-centric urban design and includes no housing affordability requirements whatsoever—or targeted

for increased density with little explanation or city-wide rationale for why their neighborhood must bear the burdens of growth over other neighborhoods.<sup>5</sup> These restrictive, exclusionary rezonings and uneven applications of zoning policy across diverse neighborhoods have exacerbated racial and socio-economic inequality in New York City.

### **Uncoordinated long-term budget and capital infrastructure planning**

While the de Blasio Administration has made an effort to better integrate rezonings with community investments, the City's long-term budget planning still bears very little meaningful relationship to the City's priorities. Our long-term budget planning remains uncoordinated with broader policy and land use goals, undermining the City's ability to achieve them.

### **Unrealistic Ten-Year Capital Strategy**

The long-term planning that the City does complete with respect to capital infrastructure through the completion of the Ten-Year Capital Strategy ("TYCS") is unrealistic and does not align with the City's demonstrated ability to execute capital projects. The document front-loads spending toward short-term priorities and neglects longer-term infrastructure needs, making it difficult to accurately track performance in completing capital projects, prevent excess appropriations, or effectively prioritize the City's short- and long-term spending.

### **Insufficient assessments of capital needs**

The City's budget decisions remain divorced from assessments of capital needs, which are often insufficient. As a result, the budget process fails to sufficiently maintain existing infrastructure, enhance infrastructure to reduce neighborhood disparities, improve the climate resiliency of the infrastructure we fund, or fund the infrastructure needed to accommodate projected growth.

## **RECOMMENDATION SUMMARY**

This report proposes a ten-year comprehensive planning cycle designed to encourage equitable, just, and sustainable growth by meaningfully connecting the City's budget, land use, and strategic planning processes to build a proactive vision for the future of New York City. This citywide comprehensive planning framework would streamline and integrate more than a dozen planning and budget-related documents, reports, and plans already required by local law, to dramatically improve coordination across City agencies. The Mayor's Office of Long-Term Planning and Sustainability (OLTPS)<sup>1</sup> would oversee the new planning cycle and produce all related planning documents in partnership with relevant City agencies and informed by a robust and continuous public engagement process.

First, the City would review and report on our population and economy in a new Conditions of the City report which would include an analysis of racial and socio-economic disparities, access to opportunity, displacement risk, short- and long-term risks to the City and its vulnerable communities, the impacts of prior development and budget decisions, and current and projected infrastructure needs, among other areas of analyses.

Informed by the Conditions of the City report, OLTPS would then work with a new representative Long-Term Planning Steering Committee to develop a Citywide Goals Statement that would be required by the Charter to reduce and eliminate disparities in access to opportunity and the distribution of resources and development across race, geography, and socioeconomic status. The Citywide Goals Statement would include Measurable Citywide Targets for housing, jobs, open space, resiliency infrastructure, City facilities, schools, transportation, public utilities, and other infrastructure and would be informed by public input and engagement.

Following the production of the Citywide Goals Statement, the City would engage all neighbor-

<sup>1</sup> Currently known as the Mayor's Office of Sustainability, <https://www1.nyc.gov/site/sustainability>

hoods in a proactive land use planning process in order to prepare a Draft Long-Term Plan, which would consist of five major elements:

- 1. Strategic policies** for all issue areas traditionally covered in a comprehensive plan including but not limited to housing, transportation, open space, public health, arts and culture, sustainability and resilience. This would also include capital and expense budget needs for each agency to implement each policy within a clearly articulated timeline.
- 2. An analysis of the City's Zoning Resolution**, recommendations for city-wide zoning changes, and policies for managing the City's waterfront.<sup>6</sup>
- 3. District Level Targets**, developed and adopted by the Long-Term Planning Steering Committee, that would distribute growth, infrastructure, amenities, and services equitably throughout the City. These targets would be required to correct historic disinvestment and prioritize growth in areas identified with low displacement risk and high access to opportunity.
- 4. Community District land use scenarios** to accommodate the measurable District Level Targets described above, including indications of relative height and density.
- 5. Community District Budget Needs** which would include the capital and expense budget needs of the district under current conditions; existing budget commitments, where applicable; and additional funds needed to accommodate the District Level Targets over ten years.

Through requirements for on-going public engagement and the creation of new diverse and representative decision-making bodies to develop, review, and adopt key elements of the plan, the ten-year planning cycle would integrate and balance citywide comprehensive

planning with community-based planning at the neighborhood level. This proposal requires City Council adoption of the comprehensive plan. With Council adoption, the comprehensive plan would represent a shared vision for New York City across the Council, Mayoral agencies and the New Yorkers that Council Members represent to fulfil our citywide and neighborhood-specific needs for housing, open space, schools, and other infrastructure.

The final adopted Long-Term Plan would then serve as the foundation for both public and private development decisions. Future land use applications that are consistent with the comprehensive plan would only be subject to a Council vote if the Council voluntarily "calls up" the application, thereby incentivizing land use actions that further the implementation of the plan, while maintaining mechanisms for review.

A mandate that the City complete a Generic Environmental Impact Statement (GEIS) for the Long-Term Plan will both further incentivize development consistent with the plan by reducing project costs, which can be redirected into community benefits, while ensuring the City evaluates the impacts of the comprehensive plan's planning and zoning policies. Future development that is deemed consistent with the plan would then only be required to complete supplemental environmental review on the impacts specific to that project.

Finally, the Mayor would be required to produce an updated Conditions of the City Report and would have an opportunity to amend the Long-Term Plan halfway through the ten-year planning cycle. The new Long-Term Planning Steering Committee would play an ongoing role in both the development of the plan and the implementation of its recommendations, convening annual public hearings to help ensure that every Mayor is held accountable to its commitments and priorities. This robust and inclusive planning process would support equitable growth while strengthening critical checks and balances in the City's planning process. ◆

## TACKLING 21ST CENTURY CHALLENGES

New York's failure to plan is not just an esoteric concern about process—it has profound and lasting consequences for the daily lives of all New Yorkers and restricts the City's capacity to address the fundamental challenges of our time.

We are not delivering enough overall housing supply to effectively reduce demand for market rate housing—nor are we creating enough deeply affordable housing for the New Yorkers that need it most. The City's housing goals are not rooted in assessments of existing infrastructure or access to opportunity—nor are they meaningfully tied to citywide goals like furthering fair housing, desegregating the City's neighborhoods and schools, or preventing residential and business displacement. Instead, we mainly focus on counting the total number of affordable housing units, rezoning individual sites or neighborhoods, and rarely apply lessons learned or revisit the restrictive, exclusionary rezoning decisions that limit supply. We cannot continue to tackle the housing crisis one building or neighborhood at a time.

Similarly, a fragmentary approach to climate adaptation poses dangers for equity and affordability far beyond the City's 520-mile coastline. Over the next several decades, the City will need to make difficult and critical decisions about our infrastructure that will determine the future viability of our City on the whole. In the absence of an integrated process for making such decisions—a process that centers equity, inclusion, and public transparency—we run the risk of repeating past failures of neglect and exclusion.

Our collective failure to reverse the impact of decades of segregationist, racist, and classist policies in our neighborhoods has resulted in Black and brown New Yorkers dying at double the rate of white New Yorkers from coronavirus. Overcrowding in apartments, inadequate access to health care and health disparities, and poor air quality are all direct consequences of our land use, budget, and policy decisions. Twentieth century urban planning has actively contributed to a destructive legacy that we are still fighting to overcome today.

And as we face record unemployment and economic decline, we have no clear path for creating the kinds of accessible, high-quality jobs that will give all New Yorkers the stability they need to make ends meet or support their families. Our planners and civil servants know that a diversity of businesses, jobs, and community facilities make our neighborhoods livable and requires different kinds of urban space and uses available at a variety of price points. But supporting diversity and truly mixed-use and mixed-income neighborhoods without fundamentally reforming the way we make decisions about land use and capital planning is an intractable task.

While the recommendations outlined in this report focus exclusively on reforms to the process by which our land use and budget decisions are made, we cannot lose sight of the concrete outcomes that planning process is specifically designed to produce.

**Breakout sections** throughout this report describe just some of the concrete ways that a comprehensive planning process can and should be leveraged to produce forward-thinking and inter-disciplinary policies to increase our housing supply, integrate our neighborhoods, support a diverse mix of jobs and small businesses, prepare for climate change, and equitably distribute resources and infrastructure to address and correct historical neighborhood disparities.



# History & Background: Citywide Planning in New York City

## HISTORY & BACKGROUND: CITYWIDE PLANNING IN NEW YORK CITY

Comprehensive long-term planning has never truly gained credence in New York City. For over 100 years, City officials and agencies have resisted attempts to implement more robust planning practices in favor of a piecemeal approach to development and infrastructure decisions and the perpetuation of the status quo.

### 1910s: THE CITY'S FIRST ZONING RESOLUTION

New York City enacted the nation's first ever citywide Zoning Resolution in 1916 in response to the development of crowded tenement slums and concern among officials over unsanitary conditions and conflicts with industrial uses.<sup>7</sup> Most of these early zoning laws were designed to protect and increase the values of properties owned by white wealthy people largely through the exclusion of immigrants and people of color from those very same neighborhoods.<sup>8</sup>

To this day, New York City's Zoning Resolution dictates what can be built without discretionary approvals—also known as “as-of-right” development. Over 80 percent of development in New York City is as-of-right, which means it does not require a rezoning.<sup>9</sup> The authors of the original 1916 Zoning Resolution intended it to be accompanied by a broader planning regime that integrated infrastructure spending.<sup>10</sup> The Board of Estimate formed a “Committee on the City Plan,” which it envisioned as a permanent body to advise the Board in the further development of zoning and planning policy such as coordinating long-term infrastructure investments with development.<sup>11</sup> But political support for the expansion of city bureaucracy into new progressive fields like planning and public health ended when City Hall turned over to Democratic control in 1917, and the Board

Board of Estimate abolished the Committee, leaving the 1916 Zoning Resolution isolated from broader planning policy.<sup>12</sup>

### 1930s-1940s: THE CITY PLANNING COMMISSION AND THE DEPARTMENT OF CITY PLANNING

By the 1930s, City leaders recognized that the absence of a plan was resulting in ad-hoc infrastructure and development decisions without a long-range vision to meet citywide needs.<sup>13</sup> The 1936 Charter Revision Commission proposed the creation of a City Planning Commission (CPC) and a Department of City Planning (DCP), that would create a long-term Capital Budget and craft a “master plan:” a vision for New York City's growth that would coordinate private development with public infrastructure and amenities.<sup>14</sup>

The 1936 New York City Charter Revision Commission wrote:

**“The growth and development of a modern city depends upon the wisdom and foresight with which capital improvements are undertaken and the extent to which the integrity of zoning regulations and the city map is maintained. Unfortunately, such expenditures too often have been undertaken because of local and special pressures and without relation to the interests of the city as a whole. Great waste has resulted and a species of log-rolling has developed...”<sup>15</sup>**

After voters adopted the Commission's proposals and established the CPC and the DCP, Rexford Tugwell—Mayor LaGuardia's appointee as City Planning Chair—held hearings and released a "Master Plan" that identified broad swathes of substandard tenement housing for future redevelopment and investment, proposed numerous outer borough commercial centers to reduce the distance between work and home, and called for a vast expansion of open space.<sup>16</sup>

However, Tugwell's Master Plan threatened Robert Moses, who was steadily gaining power in New York City and strongly favored an ad-hoc project-by-project approach to redevelopment.<sup>17</sup> Moses and the City's major developers and property owners attacked Tugwell as a "menace" and his plan as a "collective assault" that would "impinge individual freedoms."<sup>18</sup> Tugwell was no match for Robert Moses's political influence and resigned from the Commission in 1941.<sup>19</sup>

Mayor LaGuardia then appointed Robert Moses himself to the CPC, where he quickly gained de facto control.<sup>20</sup> Moses continued to both privately and publicly denounce the Charter requirement for a master plan.<sup>21</sup> Under Moses' influence, the CPC became chiefly a zoning administrator and a rubber stamp for Moses-directed initiatives.<sup>22</sup> Development proceeded on an ad-hoc basis driven primarily by "horse-trading on the Board of Estimate" and the "privatization of public decisions."<sup>23</sup>

## 1950s-1961: ROBERT MOSES, URBAN RENEWAL, AND THE 1961 ZONING RESOLUTION

During Moses's tenure, the CPC generally ignored the Charter requirement for a master plan. Instead, it approved documents called "master plans" in name to comply with the Federal Housing Act of 1949's "urban renewal" policies, which offered cities significant funding to demolish "blighted" urban neighborhoods to develop public housing and other infrastruc-

ture.<sup>24</sup> These "master plans" were highly limited catalogues of Moses's projects and did not reflect the intent of the 1936 Charter Revision Commission.<sup>25</sup> Over 150 urban renewal plans were reportedly adopted in New York City, many of which resulted in the destruction and displacement of low-income immigrants and people of color.<sup>26</sup>

In the late 1950s, the CPC began to overhaul the 1916 Zoning Resolution, which was designed primarily to address Manhattan's built environment in the early 20th century and therefore lacked detailed regulations on bulk and density.<sup>27</sup> The City formally adopted a new Zoning Resolution in 1961.<sup>28</sup> Though thousands of amendments have been layered on since, the 1961 Zoning Resolution remains the basis of New York City zoning today, leaving as-of-right development governed by decades-old regulations across huge swathes of the City. According to the DCP, the development incentivized by the 1961 Zoning Resolution is viewed today "as isolating and contrary to the goal of creating vibrant streetscapes" producing buildings that often "overwhelm their surroundings."<sup>29</sup>

## 1960s-1970s: THE PLAN FOR NEW YORK AND THE UNIFORM LAND USE REVIEW PROCESS (ULURP)

When Mayor John Lindsay took office in 1966, the Charter still technically required the creation of a master plan. In response to that mandate, City Planning Chair Donald Elliot released the 1969 "Plan for New York," which was designed by a team of external consultants without meaningful opportunities for public or stakeholder input. The plan was panned by professional planners and New Yorkers alike for its failure to provide opportunities for public participation.<sup>30</sup> City Planning Commissioner Beverly Moss Spatt went so far as to publish a dissent deriding the plan for its lack of rigor, specificity, and public engagement:

**“ A real Plan offers an alternative to muddling through by proposing options to influence future development...There is a need for early continuous informed citizen participation whereby the community people working with the professional City planners can formulate the problems, sort out the alternatives, and come up with solutions...Only by the City and community people working together from the very beginning shall polarization be minimized and reconciliation achieved.”<sup>31</sup>**

Lindsay’s Master Plan was never revised or officially adopted by the Board of Estimate and in 1975, Charter revisions eliminated the CPC’s comprehensive planning mandate altogether. Framed around “local self-government” and retreating from the responsibility to plan for every neighborhood, the 1975 Charter reforms implemented a system of local community-based engagement in land use and zoning processes, established 59 Community Boards, and codified the first version of the Uniform Land Use Review Process (ULURP), a set procedure by which planning and development proposals are subject to public input.<sup>32</sup>

In addition, the changes allowed the new Community Boards to engage in local planning studies—also known as 197-a plans, in reference to section 197-a of the City Charter—that could receive official City recognition.<sup>33</sup> The Charter’s master planning mandate was replaced with a more flexible notion of “plans for the development and improvement of the city” that could

be initiated by the Mayor, CPC, or Community Boards.<sup>34</sup> The changes also impacted the Capital Budget process, reassigning the responsibility of its planning solely from DCP to the Mayor’s Office of Management and Budget (OMB).<sup>35</sup> This move, which intended to save costs during a severe economic downturn, signaled a complete reversal from the 1936 Charter Revision Commission’s position that the City’s Capital Budget decisions had to be better integrated with DCP’s population projections and implementation of land use and zoning policy.

### **1980s-1990s: 1989 CHARTER REVISION COMMISSION AND SHAPING THE CITY**

In 1989, a Charter Revision Commission distributed many of the responsibilities of the Board of Estimate to the Mayor and a newly empowered and enlarged City Council, which gained the authority to modify and adopt the city budget and cast the final determining vote in ULURP.<sup>36</sup> In addition, the changes required DCP to complete a new “Zoning and Planning Report” every four years, “stating the planning policy of the commission, reporting on the planning efforts of the commission, and analyzing the portions of the Zoning Resolution that merit reconsideration in light of the planning policy.”<sup>37</sup> And for the first time, CPC would be required to develop Fair Share criteria to prioritize fair distribution of city facilities across communities.<sup>38</sup>

Under the new direction of Mayor Dinkins, DCP and CPC began to undertake major citywide planning studies for the first time since the Lindsay Administration’s “Plan for New York.” In 1992, CPC and DCP released the City’s first Comprehensive Waterfront Plan and the first and only Charter-mandated Zoning and Planning Report in 1993, titled “Shaping the City.”<sup>39</sup>

The 1993 “Shaping the City” report included many recommendations that previously appeared in mayoral agendas and the 1969 “Plan for New York,” such as expanding the

## ADDRESSING THE CITY'S HOUSING CRISIS

Most planning and housing policy experts agree that restrictive and outdated zoning codes are a major contributing factor to our affordable housing crisis.<sup>146</sup> Yet for decades, the City has continued to siphon off housing plans from its broader strategic and land use planning efforts, creating very few avenues to address the City's housing and homelessness crisis holistically.

In the 1980s, Mayor Koch's Ten-Year Housing Plan set a national precedent for using municipal and state resources for affordable housing programs focused on diverse incomes.<sup>147</sup> The Koch Administration initiated a \$4.2 billion, Ten-Year Housing Plan with a goal of building and preserving 250,000 units of affordable housing in 1986.<sup>148</sup> For the first time, City capital dollars were deployed to fund affordable housing.<sup>149</sup>

Koch's Housing Plan set the template for five- to ten-year affordable housing plans that were continued by Mayors Dinkins, Giuliani, Bloomberg, and de Blasio. These plans include a combination of funding mechanisms, such as City capital dollars, tax abatements, tax credits, and the provision of city-owned land to private sector affordable housing development entities.<sup>150</sup> These plans have helped cultivate New York City's critical ecosystem of private and not-for-profit affordable housing development—but they have all maintained the flawed practice of severing housing policy from other aspects of planning.<sup>151</sup>

Mayor de Blasio broke new ground with "Housing New York" which doubled the HPD Capital Budget, shifted focus to creating housing for people with lower incomes, and implemented Mandatory Inclusionary Housing (MIH), a much stronger version of the inclusionary housing tools enacted by Mayors Koch and Bloomberg.<sup>152</sup>

"Housing New York" laid out a new approach to planning, which appeared to reflect Mayor de Blasio's interest in shifting away from Bloomberg's rezoning tactics. The neighborhood planning strategy described in "Housing New York" aligns with many best practices for comprehensive planning—particularly in its commitment to coordinate government agencies to identify infrastructure needs and development opportunities in consultation with local communities.<sup>153</sup> DCP coined the new approach "PLACES"—Planning for Livability, Affordability, Community, Economic Opportunity, and Sustainability—and HPD published the "Neighborhood Planning Playbook" to establish a shared neighborhood planning process across all City agencies to increase transparency and predictability for community members.<sup>154</sup> The Administration announced that 15 neighborhoods would receive this new and improved form of neighborhood planning and rezoning.<sup>155</sup> However, Mayor de Blasio's plan only committed to applying the MIH policy to a limited set of areas subject to upzonings, without a commitment to expand the application of such policies down the road. Further, the new housing plan primarily identified low-income communities of color for potential rezonings.<sup>156</sup> Nearly seven years into this Administration, only six neighborhoods have completed the MIH rezoning and planning process.

Today, more than 80 percent of New York's very low and extremely low-income households (those with incomes below 50 percent of AMI) remain rent-burdened, spending more than 30 percent of household income on rent. Over half of these households are severely-rent burdened, meaning they are at high risk of homelessness.<sup>157</sup> In the absence of a comprehensive planning process, the implementation of MIH has manifested as a piecemeal neighborhood-by-neighborhood or even lot-by-lot bargain on individual land use applications.

Continued on page 19 ►

Comprehensive planning processes in other cities comparable to New York have proven to be an “antidote” to the regulatory and process barriers strangling our housing supply.<sup>158</sup> Planning scholars have found that even when neighbors and legislators acknowledge the overall need for more housing, they often oppose one-off development in their own districts “for fear of getting more than their fair share of housing growth.”<sup>159</sup> Proactive citywide comprehensive planning, on the other hand, “offers a way out of this prisoner’s dilemma by allowing legislators to create ‘contracts’ across electoral districts, aided by mayors, who, as a result of their citywide constituencies, are usually the most pro-development figures in local governments.”<sup>160</sup> This approach has been found to be particularly effective in cities like New York—in which legislative structures are not wholly defined by two-party partisan politics—where legislative leaders can more easily broker such citywide contracts and agreements across electoral districts.<sup>161</sup> ♦

City’s central business districts and revitalizing stretches of the formerly industrial waterfront for housing and recreation.<sup>40</sup> It also included new, more specific proposals, such as developing a comprehensive Voluntary Inclusionary Housing (VIH) program to incentivize developers to build affordable housing in exchange for additional density, reducing parking requirements for senior and affordable housing, reforming outdated industrial and commercial zoning districts, fixing the problem of out-of-context buildings allowed by the Zoning Resolution, and a strategy to create new parkland in underserved areas.<sup>41</sup> Unfortunately, however, the “Shaping the City” report went largely ignored during Mayor Rudy Giuliani’s Administration.

## 2000S-2010S: MAYOR BLOOMBERG’S PLANYC AND MAYOR DE BLASIO’S REBRANDED ONENYC

The City did not embark on any citywide planning efforts until 2006, when in response to accelerating growth, the City’s Economic Development Corporation (EDC) retained Alexander Garvin Associates to undertake a strategic opportunity analysis on how the City should grow, improve the public realm, and prevent direct displacement.<sup>42</sup> The study identified locations where railyards or highway cuts could be decked over, where underutilized waterfronts could be developed, and recommended that the City double down on redesigning streets for pedestrian and bicyclist safety.<sup>43</sup> Garvin’s report was leaked to Streetsblog prior to publication, but the Bloomberg Administration never officially released the plan to the public.<sup>44</sup>

The City did, however, integrate elements of the Garvin study with the work undertaken for the City’s ultimately unsuccessful 2012 Olympic bid to produce a new citywide long-term plan with an overarching goal of sustainability.<sup>45</sup> In 2007, Bloomberg unveiled this initiative as PlaNYC 2030.<sup>46</sup>

PlaNYC 2030 brought together 127 initiatives in many of the areas traditionally covered by comprehensive planning—housing, transportation, open space, environmental remediation, air and water quality, and climate change. The plan included many important proposals such as congestion pricing, expansion of bus rapid transit and protected bicycle lanes, opening schoolyard playgrounds to the public in off-hours, and measures to incentivize green building.<sup>47</sup>

Although the plan was billed as New York’s first citywide long-term plan, the model set by PlaNYC 2030 and memorialized through legislation in Section 20 of the New York City Char-

ter is more accurately described as a strategic growth framework than a comprehensive plan due to its lack of specificity with respect to land use, zoning, and capital planning.

In 2012, the Bloomberg Administration convened the “Report and Advisory Board Review Commission,” a body tasked with eliminating outdated and redundant government reporting requirements.<sup>48</sup> DCP recommended the elimination of the Zoning and Planning Report, the only Charter-mandated document requiring DCP to review the City’s Zoning Resolution to identify pertinent policy issues every four years—a standard best practice in planning.<sup>49</sup>

As noted, DCP completed this report just once in 1993 under the leadership of Mayor Dinkins.<sup>50</sup> The document identified specific longstanding issues with respect to the City’s outdated Zoning Resolution, many of which have yet to be resolved, including excessive parking minimums and outdated restrictions on commercial and industrial uses.<sup>51</sup> However, in 2012, DCP argued that the requirement was duplicative of the PlaNYC /OneNYC Charter mandates, despite the fact that the Charter does not require those plans to include any contemplation or analysis of the Zoning Resolution.<sup>52</sup>

DCP’s comments to the Commission did not include a cost estimate for the production of the report, but cited recent budget cuts as a major limitation for the agency.<sup>53</sup> DCP stated that “the costs are primarily staff time who work on a multitude of project simultaneously” which would “diminish the Department’s ability to perform core functions of zoning studies and project review, while offering no additional public informational benefit.”<sup>54</sup> The Report and Advisory Board Review Commission accepted DCP’s

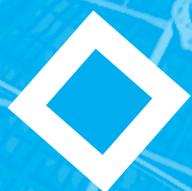
arguments and waived the Zoning and Planning Report in 2012.<sup>55</sup>

To comply with Charter Section 20, de Blasio was required to produce an updated PlaNYC document in 2015.<sup>56</sup> Rebranded as “OneNYC,” the report focused on cataloging Mayoral initiatives in myriad policy areas relating to resilience and sustainability, but notably omitted a detailed contemplation of land use policies or specific infrastructure priorities.<sup>57</sup> For example, OneNYC now only maps existing rezoning initiatives rather than making any attempt to identify future “areas of opportunity.”<sup>58</sup>

## MOVING FORWARD

Over the course of the last century, New York City has repeatedly abandoned attempts to mandate holistic citywide planning. In the 1930s, Robert Moses vilified the discipline of city planning altogether to advance his personal agenda and pet projects which largely prioritized property interests and wealthy elites over the needs of New Yorkers. A half-hearted attempt to produce a comprehensive plan in the 1960s failed to meaningfully engage communities in the process, undermining comprehensive planning efforts for decades to come. And a severe fiscal crisis in the 1970s justified draconian cuts to the budget and significantly diminished the role of City government with respect to citywide land use and capital planning, which remains true to this day.

As we enter into another era of fiscal stress and budget challenges, we cannot afford to repeat these mistakes. We must prioritize upfront investments in citywide planning to ensure the City’s policy, land use, and infrastructure decisions will meet the needs of all New Yorkers to better position us to recover from this crisis in a just and equitable way. ◆



# **Comprehensive Planning Precedents & Case Studies**

# COMPREHENSIVE PLANNING PRECEDENTS & CASE STUDIES

## NATIONAL PRECEDENTS FOR COMPREHENSIVE PLANNING

In the United States, cities and states began to adopt comprehensive planning frameworks when Congress attempted to establish a national standard for coordinated comprehensive planning in the early 1970s.<sup>59</sup> Despite the federal government's failure to mandate state and local comprehensive plans, several states established strong planning and growth management requirements.<sup>60</sup> In the late 1980s and early 1990s, New Jersey, Delaware, Rhode Island, Washington, and several other states followed suit, establishing requirements for municipalities to engage in comprehensive planning largely in reaction to the negative impacts of unregulated suburban sprawl.<sup>61</sup>

Since the early 2000s, there has been a further resurgence of comprehensive planning to address the rising threat of climate change.<sup>62</sup> Faced with growing concerns about the impacts of climate change as well as unprecedented growth and housing shortages, many cities have revived comprehensive planning to help address both sustainability and equity.<sup>63</sup> Today, 15 states mandate comprehensive plans and many cities all across the nation from Boston to Dallas to Denver voluntarily engage in comprehensive planning.<sup>64</sup>

In addition to the many municipalities and states that have adopted comprehensive planning frameworks, most professional planning and development associations have endorsed comprehensive planning as a best practice. The American Planning Association (APA) recently completed a four-year effort to update the best practices for comprehensive planning with a

renewed emphasis on sustainability and equity as the overarching goals.<sup>65</sup> The APA's updated standards now propose comprehensive planning as the ideal mechanism to integrate sustainability into urban governance.<sup>66</sup>

## COMPREHENSIVE PLANNING PRECEDENTS IN NEW YORK STATE

New York City is something of an outlier in its lack of comprehensive plan, even within New York State. As of 1993, New York State law strongly encourages municipalities to adopt comprehensive plans, stating "the development and enactment by the city government of a city comprehensive plan which can be readily identified, and is available for use by the public, is in the best interest of the people of each city." Only three of 13 cities in New York State with populations over 50,000 have not adopted a comprehensive plan in the last 15 years—New York City, Yonkers, and Mount Vernon.<sup>67</sup>

In New York State, when a municipality adopts a comprehensive plan, development is required to comply with the plan and the municipality is required to complete a Generic Environmental Impact Statement (GEIS) to assess and mitigate its impacts.<sup>68</sup> Though New York State law articulates a number of scenarios where the preparation of a GEIS is appropriate, New York City rarely uses them despite their many benefits and agreement among planning professionals that the City should expand their use. Most recently, the Guarini Center on Environmental, Energy and Land Use Law at New York University called on the City to improve the GEIS process and expand its use for the purpose of assessing cumulative impacts and reducing project costs.<sup>69</sup>

GEISs help avoid the issue of "segmentation," which occurs when multiple project-level EISs fail to sufficiently capture the cumulative impacts that result from similarly situated projects and projects that are phased over time.<sup>70</sup> The GEIS allows for more meaningful consideration of cumulative impacts of development and

also serves to streamline the environmental review procedures, thereby reducing development costs. The use of “tiered” GEISs—in which a first-level review for a citywide policy or program is conducted at the citywide level and a second-tier site-specific environmental document is prepared for a later, specific project that is consistent with the program, plan, policy, or ordinance—has also been found to be particularly effective in streamlining regulatory procedures in jurisdictions outside of New York State.<sup>71</sup> If the first-tier review adequately addresses a cumulative impact, that impact is not considered significant for the second-tier document and need not be discussed in detail.<sup>72</sup>

## **CASE STUDY: SEATTLE, WASHINGTON**

Seattle has one of the most rigorous comprehensive planning policies of any major city in the country. The plan’s designated “urban growth areas” are required to be zoned for density sufficient to accommodate twenty years of projected population growth. Seattle’s planning process runs in tandem with the City’s environmental review process for the comprehensive plan. Seattle’s most recent environmental review statement assesses the impact of adding 70,000 new housing units and 115,000 new jobs in Seattle through 2035.<sup>73</sup>

In recent years, comprehensive citywide planning has helped Seattle maintain a housing construction pipeline of over 7,500 new housing units a year in a city that had just over 300,000 total housing units in 2010 (approximately a 2.5 percent annual increase in the City’s available housing stock).<sup>74</sup> In contrast, New York City has produced approximately 20,000 new housing units annually in recent years within an overall housing stock of over 3.4 million units (approximately a 0.6 percent annual increase in the City’s available housing stock).<sup>75</sup>

Seattle has also adapted its planning practices to more closely consider potential future displacement impacts on the City’s populations.

The 2016 update of the comprehensive plan included for the first time a “Growth and Equity Analysis” with a mapped “Displacement Risk Index” and “Access to Opportunity Index” to help inform potential impacts of the growth strategy on vulnerable populations.<sup>76</sup> The Comprehensive Plan also clearly states the goal to “[u]se zoning and other planning tools to shape the amount and pace of growth in ways that will limit displacement of marginalized populations, and that will accommodate and preserve community services, and culturally relevant institutions and businesses.”

State law also requires that investments in transportation infrastructure be made concurrently with new development, which has contributed significantly to the City’s embrace of public transit on a scale beyond any other comparable city.<sup>77</sup> In 2016, voters approved the third in a series of referenda to support the \$50 billion buildout of a citywide light rail network and the City continues to support the expansion of its bus rapid transit and bike lane networks.<sup>78</sup> This has allowed the City to keep congestion under control while simultaneously supporting equitable and sustainable growth in the neighborhoods that have the necessary infrastructure capacity to accept it.

## **CASE STUDY: MINNEAPOLIS, MINNESOTA**

Minneapolis is another city drawing attention for its comprehensive planning practices and its role in facilitating a remarkable recent achievement—the elimination of single-family zoning and minimum parking requirements citywide. Minnesota was one of the few states that adopted strong regional growth management systems in the 1970s.<sup>79</sup>

Minnesota’s Metropolitan Land Planning Act creates a ten-year planning cycle that begins with the new population data from the decennial Census, followed by a Regional Development Guide published by the Metropolitan Council. Then, each local government within

the Metropolitan Urban Service Area produce comprehensive plans, including the Twin Cities of Minneapolis and St. Paul.<sup>80</sup> Comprehensive plans are then reviewed and adopted by both the local City Council and the Metropolitan Council.

After over two years of public engagement, the Minneapolis City Council voted to approve and adopt the plan, called “Minneapolis 2040.”<sup>81</sup> Sustainability and equity are the pillars of the plan, and policies are organized by fourteen overarching goals spanning from the production of affordable and accessible housing to creating living wage jobs to supporting equitable civic participation.<sup>82</sup> Minneapolis 2040’s groundbreaking proposal to completely eliminate single-family residential zoning citywide is projected to effectively triple Minneapolis’ housing stock in the long-term by allowing up to three units within neighborhoods where they were formerly prohibited.

Set forth within a larger context of planning for growth to accommodate demand—including eliminating minimum parking requirements, increasing density near transit stops, and a new inclusionary housing policy—Minneapolis policy-makers built support for the elimination

of single-family zoning by successfully framing these measures as necessary to redress historic inequities of racial and economic exclusion and encourage sustainable development by allowing more housing in areas with access to walkable environments and transit.<sup>83</sup>

Without Minneapolis’ citywide comprehensive planning process to establish the means and mechanism by which to advance these big-picture policy conversations, it is unlikely the city would have been able to overcome inherent local opposition and inertia. With the approval of Minneapolis’ City Council needed to adopt the comprehensive plan, no singular elected official or district needed to volunteer to test such significant changes in policy—instead, the Minneapolis City Council adopted the policy together as a legislative body for the City as a whole.

Minneapolis’ experience also points to the importance of bringing historically marginalized communities into the planning process. According to one organizer, community engagement was the City’s “secret ingredient,” bringing a wide variety of new and diverse voices into the process to add to the chorus of property-owners that typically attend local government meetings.<sup>84</sup> ◆



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# Key Issues

## KEY ISSUES

### FRAGMENTED AND INSUFFICIENT PLANNING MANDATES

In other major cities around the country and the world, a “comprehensive plan”—a document establishing a strategic framework and vision for growth and development—serves as the basis for policy, land use, and capital planning decisions.<sup>85</sup> While the New York City Charter requires many reports and processes related to planning, the City has no requirement to actually plan—to holistically examine the City’s existing conditions, identify challenges, opportunities, and goals, and propose policies to address and achieve them.

The 2019 Charter Revision Commission’s Preliminary Staff Report identified a dozen or more plans and similar documents that could fairly be considered part of a “strategic” or “comprehensive” plan.<sup>86</sup> However, the report notes that “the Charter does not always make clear how (or whether) these plans are intended to fit together, what they must address, how they relate to one another, how progress (or lack thereof) toward their goals is measured and assessed, and how the public can affect the content of these plans (if at all).”<sup>87</sup> Public testimony on the topic of comprehensive planning spoke to a general level of disillusionment with and confusion about the types of planning already required among participating stakeholders.<sup>88</sup>

The planning mandates that do exist in the Charter fall short of best practices and do not enable the City to properly plan for change or growth. For instance, the current PlaNYC/OneNYC framework, prepared by the Mayor’s Office of Long-term Planning and Sustainability (OLTPS),<sup>ii</sup> is intended to serve as the City’s “comprehensive, long-term sustainability plan.”<sup>89</sup> However, the Charter does not actually require PlaNYC/OneNYC to consider how land use, zoning, or economic development policy relate to

the plan’s goals of sustainable development.

The first iteration of Bloomberg’s PlaNYC was criticized by grassroots advocates, planning experts, and real estate interests alike for its lack of specificity with respect to land use policy and budget decisions.<sup>90</sup> Mayor de Blasio’s OneNYC plan relates even less to the City’s built environment, excluding recommendations relating to land use and zoning altogether, aside from documenting agencies’ existing work and previously announced Mayoral initiatives.<sup>91</sup>

Further, the data included in PlaNYC/OneNYC is often incomplete, excluding important components such as the state of repair of the City’s infrastructure, school capacity, housing units and vacancies, and economic data. Instead, that data is scattered among various agency reports, the Mayor’s Management Report, and the NYC Open Data portal. This fragmented system leaves New York without a full analysis of city-wide trends and challenges.

### LACK OF COORDINATION ACROSS CITY AGENCIES

The Charter does not require PlaNYC/OneNYC to be integrated with other documents required by local law, such as the strategic policy statements, the Ten-Year Capital Strategy (TYCS), Social Indicators Report, or the Citywide Statement of Needs. Under this framework, the City’s long-term budget planning documents bear almost no meaningful relationship to our policy or land use planning. Mayor Bloomberg’s failure to adequately coordinate infrastructure with its rezoning efforts had significant consequences on many neighborhoods, including the school capacity shortfall in Downtown Brooklyn and the drastic inflation of land costs for City acquisition of the properties to become Bushwick Inlet Park in Williamsburg.<sup>92</sup>

Under Mayor de Blasio, there is better coordination of infrastructure investments with City-led neighborhood rezonings. This improved coordi-

<sup>ii</sup> Currently known as the Mayor’s Office of Sustainability, <https://www1.nyc.gov/site/sustainability>

nation is, in part, due to the City Council’s advocacy for packages of neighborhood investments and policy commitments to meet particular neighborhoods’ needs. These commitments are required by local law to be posted online in a public tracker, which helps improve transparency in the City’s budget process and accountability in ensuring those commitments are fulfilled.<sup>93</sup>

However, these budget commitments are only currently required to be publicly listed for the handful of neighborhood-wide rezonings completed by the de Blasio Administration to date and do not include prior rezonings or those initiated by private actors, once again leaving New Yorkers with an incomplete picture of how the City’s land use and zoning decisions have impacted their neighborhoods over the years.

The lack of coordination between planning mandates and land use policy has also resulted in decisions that directly contradict or even undermine broader citywide goals. For instance, Mayor Bloomberg’s 2007 PlaNYC identified “encouraging transit-oriented growth” as a core strategic policy.<sup>94</sup> Transit-oriented growth seeks to coordinate neighborhood growth with public transit access or transit improvements in order to reduce greenhouse gas emissions, improve public health, and strengthen local economies among other benefits.<sup>95</sup> However, a 2010 report from the Furman Center identified that the majority of the residential neighborhoods that were “down-zoned” (i.e. reducing permitted density and limiting opportunities for development) by the Bloomberg Administration were actually well-served by transit.<sup>96</sup> PlaNYC/OneNYC’s failure to integrate specific land use and zoning recommendations allowed the City to signal support for “transit-oriented growth,” while in reality, DCP actively worked against that goal as it significantly reduced opportunities for housing development and density in transit-rich neighborhoods.<sup>97</sup> When DCP did increase opportunities for development near transit, they continued to include significant minimum parking

requirements, further undercutting the goal of “transit-oriented growth.”<sup>98</sup>

City agencies rarely have the opportunity or mandate to coordinate strategies to achieve broader citywide goals of sustainability and equity. Comprehensive planning is widely recognized as an effective means to foster collaboration between City agencies—that might otherwise act in siloes—to produce innovative, coordinated, and effective policy interventions. Increased coordination across City agencies will become increasingly important as the City faces significant budget constraints—we cannot afford the inefficiencies and redundancies across agencies that undermine the City’s ability to achieve citywide goals.

## **INSUFFICIENT PROACTIVE PLANNING FOR OUR NEIGHBORHOODS**

As a result of these insufficient mandates, planning in New York City is forced to put significant emphasis on reacting to individual rezoning proposals and trading concessions for community benefits. Without a coherent citywide framework or shared understanding of citywide challenges and goals, proceeding with neighborhood-by-neighborhood and lot-by-lot rezonings has become increasingly contentious.

That contention is, in part, due to a growing distrust of the process and a sense among some community stakeholders that the City and private developers are often unfairly targeting neighborhoods—particularly low-income communities of color—to bear the burdens of growth in exchange for long-overdue investments like affordable housing, schools, child care centers, street safety improvements, parks, and playgrounds.

New Yorkers’ lack of confidence in our planning processes is partly attributable to the City’s failure to provide meaningful opportunities for communities to proactively plan for their neighborhoods—a failure that dates back to the early

20th century. As noted by Elena Conte, Deputy Director of the Pratt Center for Community Development:

**“ Much of the contention in local land use battles can be traced to longstanding unmet needs and the lack of genuine engagement in the process, where instead of being asked to co-create the plans, communities are pushed into reactionary positions. There are also in some cases exclusionary obstacles...the current ad hoc land use system is dominated by as-of-right land use actions and review that are ineffective, polarizing and disempowering to most communities, even those whose wealth and privilege afford them disproportionately more power than low income communities of color.”<sup>99</sup>**

To this day, 197-a plans remain one of the only formal mechanisms for communities to proactively plan. 197-a plans, unfortunately, have largely failed to create a meaningful avenue for communities to plan for their futures and are rarely produced due to lack of funding, support, and encouragement from DCP. Where they have been produced, they are rarely—if ever—implemented and are often ignored in future planning efforts.<sup>100</sup> For example, 197-a plans approved by CPC and City Council in Greenpoint-Williamsburg and West Harlem were largely disregarded by the Bloomberg administration’s 2005 rezoning and Columbia University’s campus expansion.<sup>101</sup>

At the citywide level, the PlaNYC planning mandate fails to offer a defined process for public and stakeholder input or comment. The Charter simply states “[t]he director shall seek public input.”<sup>102</sup> Unlike the New York City budget, zoning proposals, 197-a plans, or comprehensive plans in most municipalities, there is no formal review or approval process involving engagement with the local community or elected officials.<sup>103</sup> The lack of proactive public engagement or buy-in from elected officials and communities has allowed the significance and utility of PlaNYC/OneNYC to fade over time.

Without a framework to proactively and equitably plan together, opposition to the critical growth this City needs will only gain more traction. As noted by Maulin Mehta of the Regional Planning Association:

**“ We’ve reached a situation where wealthy communities with power and marginalized communities with decades of neglect are united in blocking investments in their neighborhoods because they no longer trust the objectivity of the process.”<sup>104</sup>**

Under our current planning regime, negotiating community benefits in response to individual ULURP applications is the only path forward. But given the scale of our City’s challenges, from unemployment to homelessness, it has become increasingly clear that negotiating benefits parcel-by-parcel, neighborhood-by-neighborhood is often an unsustainable model for proactively supporting equitable and inclusive neighborhood investments and citywide growth. To help provide all New Yorkers with opportunities for a stable and prosperous future, New York City needs a clear and proactive vision for the kinds of investments and growth we will support in our neighborhoods.

## UNEVEN ZONING LANDSCAPE THAT EXACERBATES SOCIO-ECONOMIC INEQUALITY

Unlike most other cities, New York City does not have any mechanism or requirement to regularly review or update zoning policy in response to the successes, failures, or unintended consequences of the City's rezoning decisions. Instead, the City's planning processes have historically responded only to the neighborhoods with the resources to agitate for change, which are both whiter and wealthier than the City at large. This dynamic has resulted in an uneven zoning landscape across the city that exacerbates racial and socio-economic segregation and inequality.

While the Zoning Resolution has not been comprehensively updated since 1961, the City has implemented many neighborhood-specific Special Districts and individual private rezonings to facilitate individual developments over the last several decades. These special districts were layered onto the framework of the 1961 Zoning Resolution, creating a situation that Norman Marcus, the former counsel to City Planning from 1963 to 1985, described as:

**“A collage of ad hoc, jerry-built and thoughtful inspirations, grafted onto a long-disowned armature. There is increasing local frustration over [the Zoning Resolution's] excessive girth, complexity, obsolescence and above all, its failure to reflect a plan for the City's future. All of this suggests that the City's present system may have come about as far as it can as a credible regulatory mechanism.”<sup>105</sup>**

Mayor Bloomberg famously rezoned roughly 40 percent of the City's land mass but failed to address the City's historical neglect of people of color and lower-income neighborhoods.<sup>106</sup> Instead, DCP downzoned dozens of neighborhoods in majority-white middle-income communities in Queens, Staten Island, the outer Bronx, and Brooklyn, where local civic organizations pressured the City to restrict development. The Bloomberg Administration introduced new lower density districts in those whiter, wealthier neighborhoods with strict limits on building height and bulk to “protect neighborhood character” against “overdevelopment.”<sup>107</sup>

A 2010 study by the Furman Center identified a glaring racial disparity in noting that upzoned areas were disproportionately home to lower-income Black and Latinx renters when compared to the more heavily white, homeowner-occupied downzoned neighborhoods.<sup>108</sup> Mayor de Blasio has made an effort to shift away from prior Administrations' approaches to neighborhood rezonings, committing to better coordinate across agencies to identify infrastructure needs and development opportunities in consultation with local communities, and refusing to support further exclusionary downzonings.<sup>109</sup> Despite these efforts, however, the de Blasio Administration has struggled to equitably identify neighborhoods to proactively engage in planning and is frequently criticized for targeting lower-income communities of color to meet his affordable housing production goals.<sup>110</sup>

In 2014, the de Blasio Administration committed to upzone and implement Mandatory Inclusionary Housing (“MIH”) in 15 neighborhoods.<sup>111</sup> Nearly seven years into his Administration, only six neighborhoods—East New York, Downtown Far Rockaway, East Harlem, Inwood, the Jerome Avenue corridor in the Bronx, and Bay Street corridor in Staten Island—have completed the MIH rezoning and planning process.<sup>112</sup>

Mayor de Blasio's approach has raised concerns among community stakeholders that this Administration's application of MIH places the burden of growth on neighborhoods that were

in dire need of investment and home to many residents at risk of displacement.<sup>113</sup> In response to criticism that all six neighborhoods are lower-income communities of color, DCP notes that it selects neighborhoods based on transit accessibility and the willingness of the local community and Council Member to invite the Department to undertake the process.<sup>114</sup>

The City's investments in rezoned neighborhoods represented a critical step towards producing a more equitable framework for the City's land use decisions, however the de Blasio Administration's slow-moving neighborhood-by-neighborhood approach to these upzonings has failed to actually distribute growth more equitably.

Moreover, a recent report by the Manhattan Institute pointed out that the Administration's strategy of increasing density and applying MIH almost exclusively in low-income outer borough neighborhoods untouched by earlier rezonings, rather than the areas with stronger real estate markets, is inefficient and ineffective in achieving the program's goal of generating affordable housing cross-subsidized by market-rate housing.<sup>115</sup>

## UNCOORDINATED LONG-TERM BUDGET AND CAPITAL INFRASTRUCTURE PLANNING

Communities' increasing aversion to rezonings and growth is also rooted in deep skepticism that the City will adequately invest in the critical infrastructure needed to meet neighborhoods' existing budget needs, let alone the investments needed to support significant growth.

With the release of "Housing New York," Mayor de Blasio made a concerted effort to better coordinate infrastructure spending with the City's long-term budget and neighborhood planning processes. "Housing New York" announced

the restoration of DCP's role in planning for the Capital Budget, which was removed from DCP's purview by the 1975 Charter Revision Commission.<sup>116</sup> The de Blasio Administration also allocated a \$1 billion "Neighborhood Development Fund" in the Capital Budget for capital projects in the neighborhoods that are rezoned.<sup>117</sup> And since the launch of the plan, DCP has more proactively shared relevant planning information with the public through newly created web tools that offer extensive access to zoning, land use, and demographic data.<sup>118</sup>

Despite these efforts, the City's various Charter-mandated documents and reports related to budget planning continue to have very little connection to the City's land use and policy priorities, which has had significant consequences on neighborhoods and undermines our ability to achieve citywide goals.

The Ten-Year Capital Strategy ("TYCS") is one of the City's only tools for long-term budget planning and is intended to reflect each City agency's long-term capital spending goals.<sup>119</sup> The Charter requires the TYCS to include a "strategic narrative" to consider "the factors underlying such strategy including goals, policies, constraints and assumptions and the criteria for assessment of capital needs; [and] the anticipated sources of financing for such strategy and the implication of the strategy, including possible economic, social, and environmental effects."<sup>120</sup>

DCP recently assumed a stronger role in the preparation of the strategic narrative, which is now also presented as an interactive website.<sup>121</sup> DCP's more robust approach to the strategic narrative certainly represents an improvement from previously prepared strategies, using demographic data to make a strong case for the strategy's guiding principles and priorities and connecting them to existing plans and Mayoral initiatives. However, DCP's new online portal does not incorporate agency budget details. Instead, it links to separate budget documents

without providing any indication as to how each agency is working, if at all, to fulfill the principles or priorities identified in the first half of the document.<sup>122</sup> The TYCS also does not assess what portion of the budget will be spent on each priority making it impossible to hold the Administration accountable to its stated goals.

The budget commitments made in the TYCS's "investment priority" sections include a handful of case-study examples and sum totals that are difficult to parse. This is particularly true of priorities that do not cleanly fit within one agency's purview (e.g. "maintenance" or "resilience"), as the rest of the document is organized by City agency without any reference to those broader investment priorities. Overall, the TYCS fails to meaningfully connect its "guiding principles" and "investment priorities" with what is actually funded by the plan. For instance, in the most recent preliminary TYCS, the document identifies advancing "a more equitable New York City through Capital Investment" as one of its four guiding principles.<sup>123</sup> The narrative strategy lays out a few examples of capital investments that advance equity, but the strategy's examples are more like carefully selected anecdotes—they do not come from any citywide assessment or focused effort to correct the underfunding of infrastructure and essential services that has persisted in communities of color for over a century.<sup>124</sup>

## UNREALISTIC TEN-YEAR CAPITAL STRATEGY

In addition to the TYCS's failure to connect the dots between citywide policy priorities and its itemized budget commitment, the TYCS is unrealistic and does not align with the City's demonstrated ability to actually execute capital projects. This leads to a front-loaded TYCS and capital commitment plans, with most spending forecast in the first one or two years.

In fact, historically, the first five years of the TYCS is essentially a repetition of the most recent capital commitment plan, demonstrating that no meaningful planning occurred for

the full ten-year period. For example, in the TYCS for Fiscal 2020-2029, most agencies had a dramatic decline in planned spending in the second five years of the document, with some agencies barely spending at all.<sup>125</sup>

The Council placed a renewed focus on addressing these issues through Speaker Johnson's creation of the Subcommittee on Capital Budget and, as a result, the de Blasio Administration moved the needle on smoothing out the capital commitment plan into the out-years.<sup>126</sup> But, even so, these improvements do not translate into a comprehensive planning effort. Ending the cycle of front-loaded capital commitment plans would not only increase transparency, it would also allow the Council and the Administration to more accurately track performance in completing capital projects and prevent excess appropriations for the succeeding year's budget.

## INSUFFICIENT CAPITAL NEEDS ASSESSMENTS

The City's assessments of capital needs are widely regarded to be insufficient. The only Charter-mandated document that attempts to assess the state of City infrastructure is the Asset Information Management System (AIMS) report, which includes an estimate of the capital and expense costs of maintaining facilities and buildings with a replacement cost of at least \$10 million and a useful life of at least ten years.<sup>127</sup>

While the AIMS report itemizes an agency's planned spending at the asset and project-level, the actual budget needs for those assets are only presented in aggregate.<sup>128</sup> The report identifies each agency's total needs, unconstrained by the City's available budget to maintain its existing infrastructure in a state of good repair, and without any indication of the urgency of each repair need. In addition, the report fails to identify infrastructure needs at the neighborhood or Community Board level, producing an incomplete picture of neighborhood needs. And as outlined in Speaker Johnson's 2020 State of the City Report,

*Securing our Future*, the AIMS report also fails to assess the state of infrastructure with respect to energy efficiency, green building, and vulnerability to climate risks including sea level rise, severe storms, and extreme heat.<sup>129</sup>

Today, the AIMS report serves the purpose of reconciling an agency's planned capital spending with its actual needs with respect to large-scale, City-owned assets. However, as a result of the replacement cost threshold of \$10 million, the list does not include any small-scale infrastructure, which means that those aggregate needs are omitted completely. NYCHA's Physical Needs Assessment, which is produced every five years pursuant to federal law, though imperfect, is far more thorough than the AIMS report, itemizing needs for doors, ceilings, closets, radiators, shower heads, and wall finishes. In 2017, those small-scale needs accounted for nearly 40 percent of NYCHA's maintenance budget. If assessed under AIMS, those budget needs would have been omitted completely due to the \$10 million threshold.

Similarly, the School Construction Authority (SCA) evaluates the conditions of its building systems through the BCAS.<sup>130</sup> The BCAS is an annual survey conducted by architects, electrical engineers, and mechanical engineers to determine the baseline condition of all of the DOE's facilities. Buildings' main systems and components are rated on a scale of 1-5 (good to poor). The SCA uses the BCAS ratings to prioritize funding in its capital improvement program, which addresses infrastructure needs in existing buildings, with building elements rated a "5" (poor) or "4" (fair to poor) being prioritized along with a small number of elements rated "3" (fair), but which have deficiencies that may adversely impact safety or the structure of the building.<sup>131</sup> While the BCAS is limited with respect to the types of building elements that

are evaluated—for example plumbing systems are evaluated but the state of repair of bathroom interiors are not—it still represents a good example of a comprehensive, annual state of good repair assessment effort that could serve as a citywide model.

Opportunities for communities to participate in budget planning are also hampered by the City's failure to thoroughly assess the state of our existing infrastructure. For instance, Community Boards' District Needs Statements and Annual Budget Requests are intended to provide opportunities for communities to proactively plan and according to DCP "aim to assess the district's most pressing needs and prioritize capital project and service expenses in the City's budget."<sup>132</sup> Both documents are prepared each year by Community Boards and are submitted to the City as part of the annual budget process, but these requests are not informed by any City data or analysis of City infrastructure needs in the District.<sup>iii</sup> As a result, they have rarely if ever meaningfully informed the City's annual budget priorities or long-term capital planning; annual requests are frequently denied altogether or referred to the City Council for discretionary funds.<sup>133</sup>

By the de Blasio Administration's own concession, its assessment of capital needs is inconsistent and incomplete—the TYCS for Fiscal Years 2020-2029 identifies consistency in capital need assessment approaches as one of its core goals.<sup>134</sup> The AIMS report plays an important role with respect to budget reconciliation, but its usefulness for long-term planning would be improved significantly if informed and accompanied by a more thorough state of good repair report that includes neighborhood-level analyses, prioritizes infrastructure based on the urgency of repair needs, and centers the City's preparedness for climate change. ◆

<sup>iii</sup> The District Needs Statement provides an overview of the Community District and identifies the top three pressing issues affecting the district, while the Annual Budget Requests describe and request from the City the specific capital and expense budget needs of the district (e.g. to renovate a library, build a new comfort station in a park, or improve street conditions).



# Recommendations



# RECOMMENDATIONS

## OVERVIEW: A NEW COMPREHENSIVE PLANNING FRAMEWORK FOR NEW YORK CITY

The ten-year comprehensive planning cycle proposed in the following sections of this report is designed to encourage equitable, just, sustainable growth by meaningfully connecting the City's budget, land use, and strategic planning processes to build a proactive vision for the future of New York City. This citywide comprehensive planning framework would streamline and integrate more than a dozen planning and budget-related documents, reports, and plans already required by local law, to dramatically improve coordination across City agencies.

The Mayor's Office of Long-Term Planning and Sustainability (OLTPS)<sup>iv</sup> would first complete a robust Conditions of the City report to identify the major challenges and opportunities facing the City. Informed by the Conditions of the City report, OLTPS would then work with a new representative Long-Term Planning Steering Committee to develop a Citywide Goals Statement, which would be required by the Charter to reduce and eliminate disparities in access to opportunity and the distribution of resources and development across race, geography, and socioeconomic status.

The Citywide Goals Statement would include Measurable Citywide Targets for housing, jobs, open space, resiliency infrastructure, City facilities, schools, transportation, public utilities, and other infrastructure. OLTPS and the new Long-Term Planning Steering Committee would then develop District Level Targets which would seek to correct segregationist policies and the historical neglect of brown and Black neighborhoods and prioritize any projected housing and job growth in areas of the City that will help reduce

the risk of displacement and increase New Yorkers' access to opportunity.

An ongoing participatory planning process would provide opportunities for New Yorkers to help decide where and how the City will distribute that critical infrastructure in their neighborhoods over the next ten years. This participatory planning process will engage the public at all stages and promote leadership and participation among communities and people historically underrepresented in or explicitly excluded from planning and land use decisions.

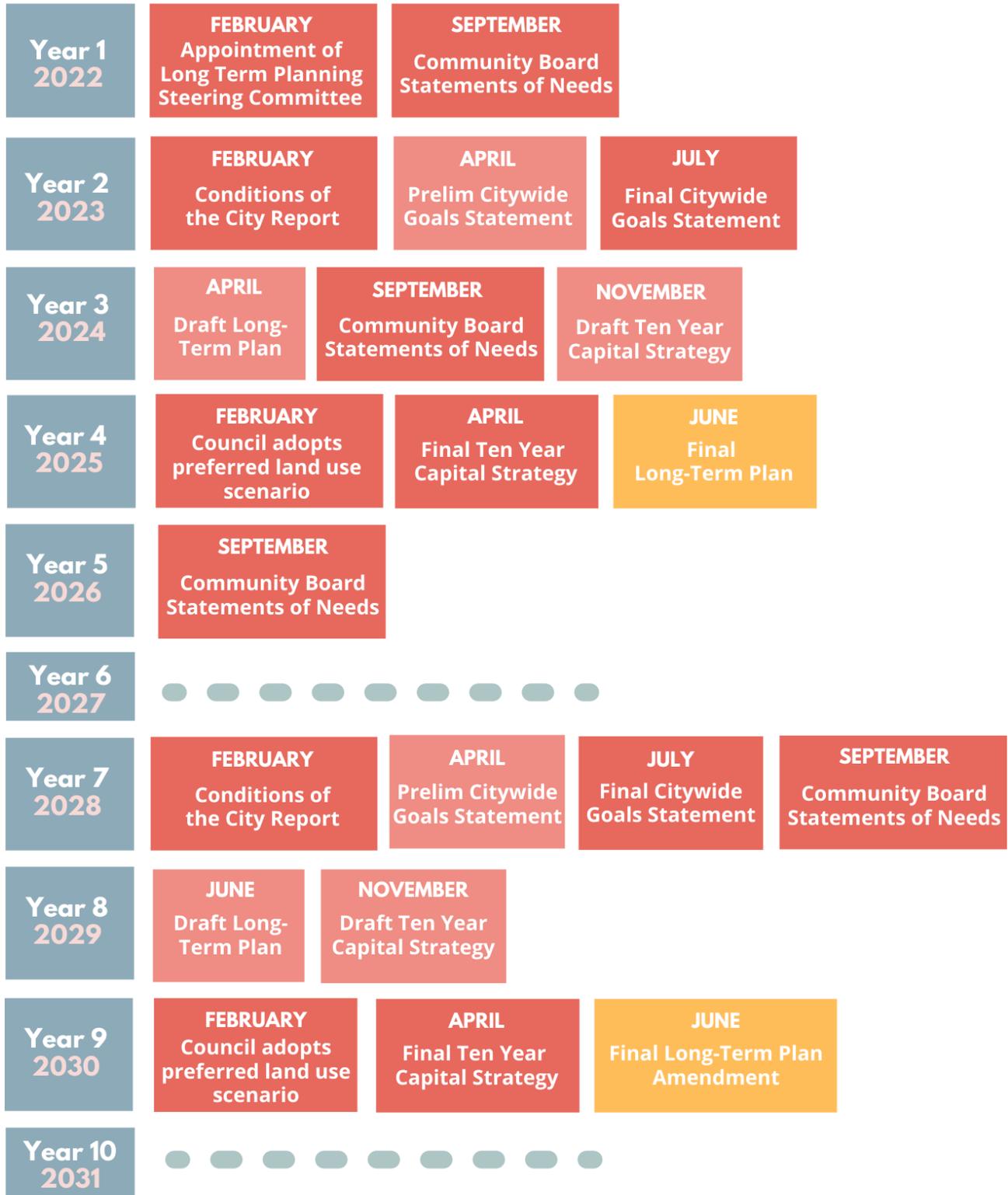
After the initial public engagement phase, OLTPS would then create and publish the Draft Long-Term Plan, which would include multiple potential Land Use Scenarios for each neighborhood, giving the public and stakeholders an opportunity to envision different possibilities. In producing those scenarios, OLTPS would consider public input and prioritize any projected growth in neighborhoods that have high access to opportunity and low risk for displacement, a model that Seattle has used to accommodate enormous growth pressures through the lens of equity and sustainability.

The Draft Long-Term Plan would also identify critical investment needs citywide and for each Community District, irrespective of expected population changes. The inclusion of specific budget needs in the Long-Term Plan will help ensure that all neighborhoods' capital investment needs are identified and assessed. Those needs will not necessarily be funded in full, but the Long-Term Plan would improve transparency and accountability in the City's future budget decisions.

Community Boards, Borough Presidents, and members of the public would then have the opportunity to provide comments on which land use scenario they prefer, and the Council would adopt a final preferred land use scenario in year four of

<sup>iv</sup> Currently known as the Mayor's Office of Sustainability, <https://www1.nyc.gov/site/sustainability>

# Ten-Year Planning Cycle



the ten-year planning process. Directly engaging the Council and local communities proactively through the adoption of a citywide comprehensive plan—rather than individual piecemeal land use applications—is intended to facilitate a greater understanding of citywide needs among New Yorkers and increase confidence among legislators that the costs and benefits of development will be fairly distributed throughout the City.<sup>135</sup> The Council's adoption process would also allow greater opportunities to “bundle” together community benefits with growth up-front, such as open space and transit improvements.<sup>136</sup>

The Final Long-Term Plan would include the Council's adopted preferred land use scenarios for every Community District, which would accommodate the District Level Targets for growth and infrastructure investments. The plan would also include citywide policies (including budget estimates and specific timelines for implementation), proposed changes to the Zoning Resolution, and budget needs for each Community District, regardless of whether or not the neighborhood will be rezoned.

The City would also be required to complete a GEIS along with the Final Long-Term Plan to ensure that the City evaluates the impacts of the plan and reduce development costs for land use applications that are consistent with the plan. Future budget planning documents including the TYCS would cross-reference the goals, policies, and land use scenarios in the Final Long-Term Plan, to identify what is and is not in the budget and explain any deviations.

Any and all future land use applications subject to ULURP would need to describe how the action aligns, conflicts, or is not applicable to the Final Long-Term Plan. The CPC would determine whether or not individual applications are consistent and the Council would only be required to review and vote on individual land use applications that conflict with the Final Long-Term Plan. Aligned applications would

only be subject to a Council vote if the Council voluntarily “calls up” the application.

This “call-up” option would be critical in cases where the Council disagrees with the CPC's determination of alignment or the terms laid out in the Final Long-Term Plan due to a change in underlying community conditions, giving the land use process and the comprehensive plan the flexibility it needs to be responsive to an ever-changing City. This streamlined Council review process would incentivize development that aligns with the plan to more effectively support equitable growth and infrastructure, while maintaining critical checks in the City's land use process.

## PLANNING PROCESS & KEY STAKEHOLDERS

Key stakeholders will help the City make decisions throughout the planning process to maintain and strengthen critical checks and balances in how the City governs and plans growth, development, and neighborhood resources. In addition to the key stakeholders described below, Community Boards and Borough Presidents would continue to play an important role in the planning process, participating early and often in public charettes and public meetings. In year three of the planning process, Community Boards and Borough Presidents would have a formal opportunity to vote in an advisory capacity on the land use scenarios proposed in the Draft Long-Term Plan. Those advisory votes would then inform the Council's deliberations and ultimate adoption of the Final Long-Term Plan in year four of the ten-year planning cycle, as described in greater detail later in this report.

### Mayor's Office of Long-Term Planning and Sustainability

As the City's Executive, the Mayor would have the strongest role in producing the Long-Term Plan. Under this proposal, the duties and responsibilities of OLTPS,<sup>v</sup> a mayoral office, would be expanded, positioning it to coordinate the ten

<sup>v</sup> Currently known as the Mayor's Office of Sustainability, <https://www1.nyc.gov/site/sustainability>

year planning process and develop the Long-Term Plan. The Long-Term Plan would build on OLTPS's existing PlaNYC/OneNYC mandates to include traditional areas of comprehensive planning such as land use, zoning, and Capital Budget planning, as well as other areas of analysis such as arts and culture, fair housing, public health, and economic development. As a Mayoral office, OLTPS is well positioned to coordinate across City agencies—including but not limited to DCP, HPD and EDC, which all currently manage neighborhood-wide rezonings—to complete necessary analyses, develop potential land use scenarios, and conduct public outreach and engagement.

### **Long-Term Planning Steering Committee and Borough Committees**

In addition to the public meeting requirements described later in this report, the Charter would require the City to form a Long-Term Planning Steering Committee (the Steering Committee).<sup>137</sup> The Steering Committee would be appointed at the very start of the ten-year planning cycle, and would be required to include people historically underrepresented in planning and land use decision-making processes who have expertise in the fields of planning, transportation, sustainability, resilience, housing, public utilities, social services, and economic development.

The Steering Committee would advise on issues related to the Long-Term Plan and adopt Citywide and District Level Targets for housing, commercial and industrial space to support a diverse mix of jobs, open space, resiliency infrastructure, City facilities, schools, transportation, public utilities, and other infrastructure, including the criteria and methodology for determining them in the Citywide Goals Statement.

The criteria and methodology for determining District Level Targets will be required to include the prioritization of growth in areas identified in the Conditions of the City Report as having high access to opportunity and low risk for displacement. The Steering Committee's adoption of these targets would be binding. The Steering

Committee would also adopt an advisory Preferred Land Use Scenario for each Community District to inform the Council's deliberations and final adoption of the Long-Term Plan.

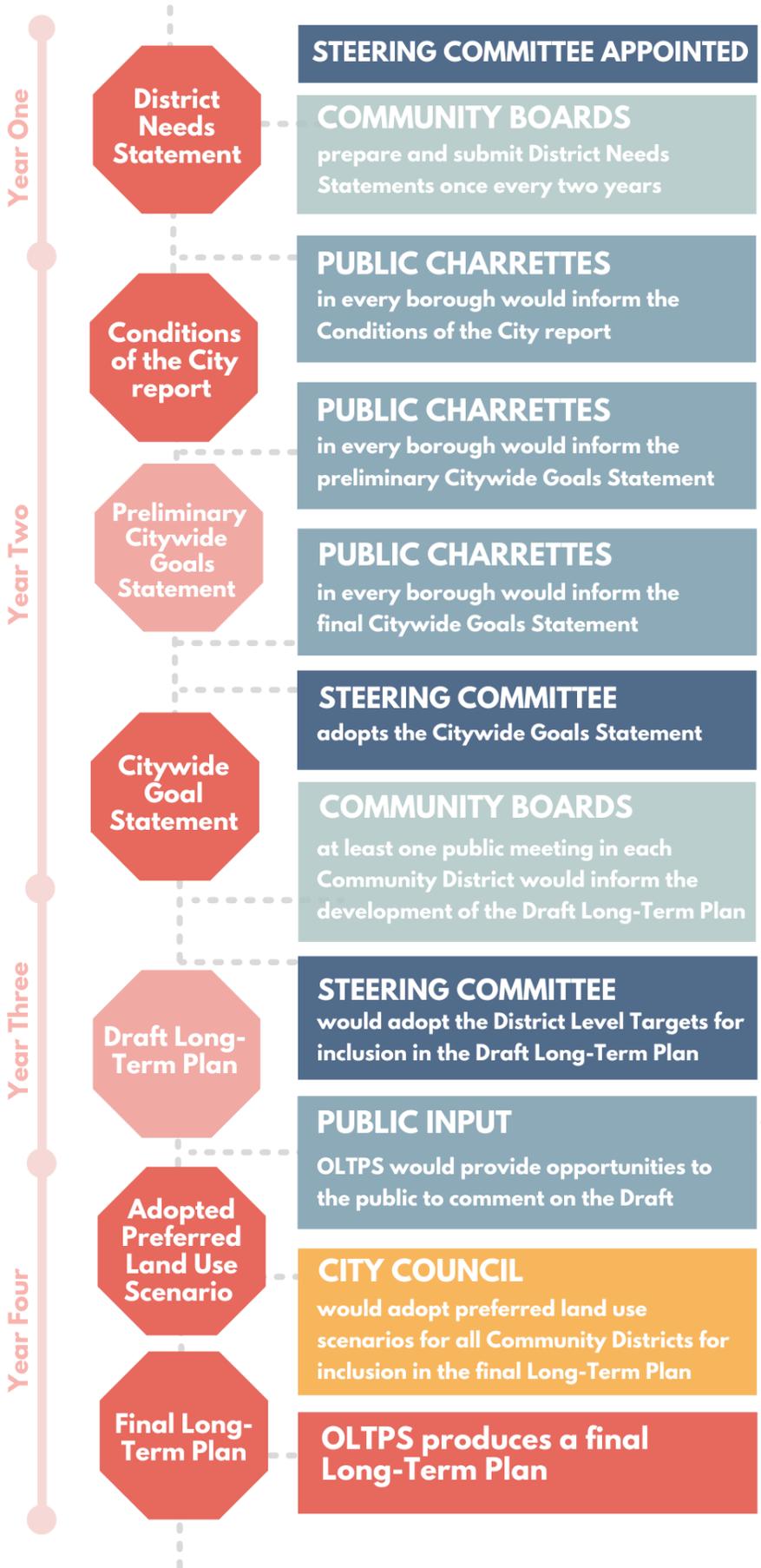
During the first three years, the Steering Committee would also convene Borough Steering Committees to inform the planning process and the Steering Committee's recommendations. Borough Steering Committees will be required to reflect the diversity of the borough with respect to race, ethnicity, earnings, age, gender, ability, homeownership rates, and immigration status, among other factors. Those recommendations would be made available to the public and sent to the Borough President, City Council Members, and Community Boards upon publication.

Finally, the Steering Committee would play an ongoing oversight role throughout the duration of the ten-year period, holding at least one annual public hearing on the planning process and implementation of the Long-Term Plan.

### **Participatory Planning Milestones**

Integrating citywide comprehensive planning with community-based planning will require the design of a thoughtful and inclusive public engagement process that is responsive to communities' needs. To begin to achieve this goal, the Charter will include milestones and formal mechanisms for stakeholder engagement at every stage of the process. The milestones are intended to provide flexible but clearly communicated opportunities for public engagement that each Administration can design and improve upon over the course of many decades.

These benchmarks are intended to ensure the planning process includes early and continuous opportunities for public participation, to encourage communities to work together with planners to formulate the problems, sort out the alternatives, and identify solutions—a glaring omission among prior comprehensive planning efforts in New York City. The process is also designed to position individual New Yorkers to participate in



## Participatory Planning Milestones

A successful planning process will require the design of a thoughtful and inclusive public engagement process that is responsive to specific communities' needs. The Charter will set minimum participatory planning milestones to increase public transparency, while giving the administration sufficient flexibility to adapt that process over time.

The milestones depicted here would be completed over the course of a **4 year period**.

**Community Boards, Borough Presidents and Steering Committee**  
 would adopt relevant preferred land use scenarios which would be advisory only to inform the Council's deliberations

a citywide conversation about what all our neighborhoods must do to achieve our shared goals: to produce more affordable housing; to invest in communities in dire need of new infrastructure, services, and city facilities; to prevent the displacement of vulnerable people; and to increase access to opportunity for all New Yorkers citywide.

## COMPREHENSIVE PLANNING DOCUMENTS

The ten-year planning cycle will produce several key planning documents, many of which are already required by the Charter. In line with best practices for comprehensive planning, these reforms will ensure that each document produced has a clear relationship to the others in order to define a consistent and measurable set of goals and policies to inform the City's future development and budget decisions.

### Community Board Statements of District Needs

Starting in September of year one of the ten-year planning cycle, Community Boards would submit their Statements of District Needs, which would consist of a standard survey that includes both qualitative and quantitative data to better direct Community Boards' prioritization process and to inform future planning and budget documents produced throughout the planning cycle. This would codify the good work that the City has already initiated to standardize and digitize this process.<sup>138</sup> Community Boards' would still submit annual budget requests, but they would be required to be tied directly to the District Needs Statement. In cases where annual budget requests include new or different priorities than the District Needs Statements, Community Boards would need to provide a rationale for those new needs or its reprioritization.

The Community Board Statement of District needs would be produced on a biennial basis, starting in September of the first year of the planning process. These statements would be required once every two years, rather than annually as currently required by the New York City Charter.

## IMPROVING THE CITY'S ECONOMIC DEVELOPMENT STRATEGIES

Without a comprehensive, integrated planning cycle, the important role of zoning and land use policy in economic development has been overlooked for decades, especially in the outer boroughs where extensive areas of 1961 manufacturing zones remain in place. Economic development and workforce plans like "New York Works," "FreightNYC" and "Career Pathways" are produced without consideration of land use or budget priorities and generally fail to include measurable benchmarks to hold government accountable or evaluate the effectiveness of the strategies that were implemented.<sup>162</sup>

The City's failure to address land use and budget planning in its economic development strategies has hampered its ability to foster an inclusive local economy or prepare for the future of work. At the urging of the Council, planning experts, and advocates, the City has taken limited steps to protect the industrial sector by restricting hotels and self-storage facilities in Manufacturing (M) Zones, which cover over 14 percent of the City. But still, M zones do not provide sufficient protections for essential industry and infrastructure, fail to provide a framework for the growth of new job centers, and miss opportunities to integrate housing options with artists' studios, maker spaces, or other light industrial uses.<sup>163</sup>

Similarly, the types of businesses allowed on neighborhood commercial corridors have not been reexamined in decades, with zoning often still prohibiting uses such as light manufacturing or a small live music venue. Although DCP has recognized these failures, without comprehensive planning there is no mechanism to initiate citywide reforms or prepare sufficiently for the challenges our local and global economy currently face. ♦

## Conditions of the City Report (COC Report)

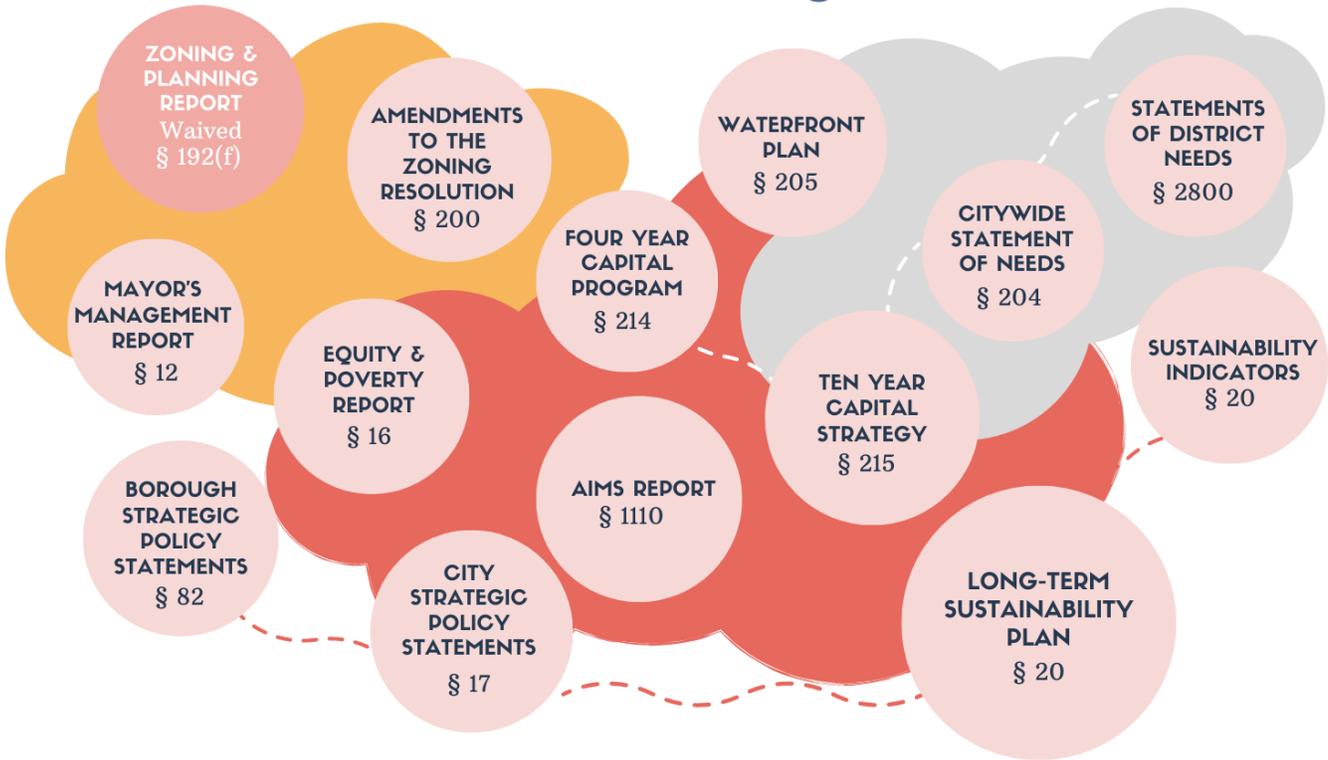
The first new milestone in the ten-year planning cycle would be the completion of a new “Conditions of the City Report” (the COC Report) in February of year two by OLTPS, in coordination with DCP and other agencies. The COC Report would be rooted in objective, measurable data that City agencies regularly collect and would be updated once every five years. The document will include:

- 1. A summary of the most significant long-term issues** with respect to long-term planning and sustainability including housing, open space, transportation, education, facilities and infrastructure, resiliency, energy, climate change, public health, arts and culture, economic development, zoning, and land use;
- 2. An analysis of overall changes in demographic, housing, and economic data** over the prior 20 years and projections for the subsequent 20 years, including population, race, ethnicity, age, and household family structures; housing market and production data; and changes in employment, the number and size of businesses, and industry sectors and wages, as available;
- 3. An assessment of existing and projected affordable housing needs**, with respect to the number and size of units, depth of affordability, and unit habitability, including projected needs for maintenance, repairs, capital improvements, and expiring regulatory tools for existing affordable housing stock;
- 4. An “Access to Opportunity Index”** that identifies disparities among populations with respect to social, economic, and physical determinants including access to civic infrastructure like schools, libraries, health care facilities, child care, parks, open space, transportation and

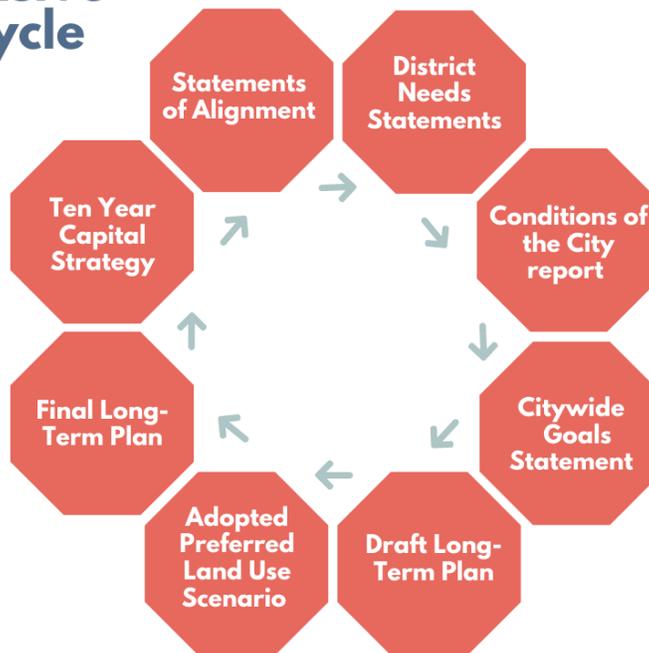
climate resiliency infrastructure, the quality of schools, and proximity to employment among other factors;

- 5. A “Displacement Risk Index”** designed to predict areas with populations that are at risk for physical displacement based on indicators of population vulnerability, including but not limited to development potential, construction activity, median rents, rates of rent burden, housing market changes, share of rent-stabilized units, eviction rates, employment and wage data, poverty rates, and projected climate change impacts among other factors;
- 6. An assessment of segregation**, including but not limited to housing and school segregation by race, ethnicity, and income;
- 7. A Climate Change Adaptation Analysis**, including short-, medium- and long-term threats to the city, integrating the information currently produced by the New York City Panel on Climate Change, such as ranges of projected sea level rise, temperature increase, and changes in precipitation;<sup>139</sup>
- 8. An assessment of waterfront resources** for the natural waterfront, the public waterfront, the working waterfront, and the developing waterfront, as currently required by the Charter-mandated Comprehensive Waterfront Plan;<sup>140</sup>
- 9. A consideration of the distribution and concentration of City facilities;**
- 10. A summary of the City’s annual Report on Social Indicators and Equity** which identifies gender, racial, and income disparities in addition to disparities relating to sexual orientation and articulates the Mayor’s short- and long-term plans for responding to those disparities;<sup>141</sup>

# NYC's Current Planning Framework



## Proposed Ten-Year Comprehensive Planning Cycle



A new ten-year Comprehensive Planning Cycle would connect the disjointed documents, processes, and reports already required by the NYC Charter to create one citywide strategic framework and vision for the City's future growth and development

## 11. A Physical Needs Assessment (PNA)

that would consist of an examination, evaluation, and conditions assessment of the City's existing buildings and infrastructure including an assessment of the asset's vulnerability to climate impacts, such as flooding and severe storms, as well as an assessment of the asset's energy efficiency, on-site energy storage, and renewable energy generation. The PNA would also contain a recommendation of whether to repair, replace, or maintain each capital asset in a state of good repair (or take no action), and an assessment of the urgency and purpose of the needed action. The PNA findings would be presented without regard to whether funds are available to do the repair and replacement work projected by the PNA to assist in prioritizing future capital expenditures and maintenance;

## 12. An analysis of all major rezonings

adopted between 10 and 15 years prior, including a review of resultant changes in land use, housing production, commercial and industrial space, median rents, project area population and key demographic characteristics, project area businesses, employment, and industry sectors and an evaluation of these changes in comparison to the stated policy goals of the rezoning; and

## 13. A summary of DCP's significant plans and studies and any 197-a Plans completed or undertaken in the preceding ten years.<sup>142</sup>

### Citywide Goals Statement

By June of year two, OLTPS would produce a Citywide Goals Statement in partnership with the Long-Term Planning Steering Committee. The document would be comprised of three parts:

1. **Policy Goals:** A statement of the policy goals related to the most significant long-term issues identified in the COC

Report.<sup>143</sup> The goals themselves will be informed by analyses of segregation, racial disparities, and the historical impact of land use and capital spending decisions. The goals would also be required to address and reduce disparities across race, geography, and socioeconomic status in access to opportunity and the distribution of resources and development.

## 2. Measurable Citywide Targets:

Quantifiable targets for housing, employment, open space, resiliency infrastructure, City facilities, schools, transportation, public utilities, and other infrastructure deemed necessary to meet the City's long-term needs.

## 3. Criteria and Methodology for District Level Targets:

Criteria and a methodology for determining District Level Targets that would support the City in equitably distributing the Measurable Citywide Targets identified in this document. The Criteria and Methodology for District Level Targets would be required to prioritize growth in neighborhoods with high access to opportunity and low risk for displacement.

The Measurable Citywide Targets and Criteria and Methodology for District Level Targets would be informed by the COC Report and public input and adopted by the Long-Term Planning Steering Committee.

### Draft Long-Term Plan

Informed by public input and in furtherance of the goals set forth in the Citywide Goals Statement, OLTPS would then produce a Draft Long-Term Plan in June of year three. The Draft Long-Term Plan would be comprised of five parts:

## 1. Citywide Strategic Policies:

Specific strategies for achieving the goals set forth in the Citywide Goals Statement. These strategies would include consideration of the City's planning and policy concerns—including

those already required by Charter § 17, in addition to economic development, land use, public health, and arts and culture—and will identify the capital and expense budget needs for each agency to implement each policy within a clearly articulated timeline, in line with best practices for comprehensive plans.

## 2. Consideration of the Zoning

**Resolution:** An analysis of the portions of the Zoning Resolution that merit reconsideration of the planning policy of the Commission<sup>vi</sup> and policies for managing the waterfront.<sup>vii</sup>

**3. District Level Targets:** For each Community District, District Level Targets would be established for housing, employment, City facilities, schools, and infrastructure pursuant to the methodologies set forth by the City-wide Goals Statement. These targets would prioritize growth, where applicable, in areas with high access to opportunity and low risk for displacement, as adopted by the Long-Term Planning Steering Committee.

## 4. Community District Land Use

**Scenarios:** Three potential land use scenarios would be developed and included for each Community District. All three potential scenarios for growth would accommodate the District Level Targets, described above, prioritizing areas for population growth that have high access to opportunity and low risk for displacement and any other priorities identified through the public engagement process. The Land Use Scenarios would be required to depict specific proposed future land uses, in-

cluding residential, commercial, mixed, industrial, institutions, open space, transportation, and utilities, among any other land uses proposed for the district, with indications of relative height and density.

## 5. Community District Budget

**Needs:** Budget implications for each Community District including: the capital and expense budget needs of the district under current conditions; existing budget commitments, where applicable; and additional funds needed to accommodate the District Level Targets over ten years.

## Adopted Preferred Land Use Scenarios

In September of year three, Community Boards, Borough Presidents, and the Long-Term Planning Steering Committee will each recommend one Preferred Land Use Scenario for each relevant Community District. These opinions would be advisory only, informing the Council's deliberations. In February of Year 4, the Council would adopt one Preferred Land Use Scenario for each Community District in the form of one resolution, tethering together agreements for growth and development across electoral districts.

## Ten-Year Capital Strategy (TYCS)

In November of year three, OMB, in close consultation with OLTPS and DCP, would release the Draft TYCS, which would be produced just once every five years.<sup>viii</sup> The new proposed TYCS would also be divided into two sections. The first would estimate the costs of the assessments and proposed actions contained in the PNA for existing buildings and infrastructure. The second section would contain a narrative

<sup>vi</sup> As previously required by the New York City Charter's Zoning and Planning Report requirement.

<sup>vii</sup> As currently required by the New York City Charter's Comprehensive Waterfront Plan requirement.

<sup>viii</sup> Currently, the TYCS is released every other year and includes a narrative description of the Mayor's strategy for development of capital facilities for the ensuing ten fiscal years, along with a section detailing the capital commitments estimated to be made each year. In practice, the narrative section bears no described relationship to the capital commitments section set forth in the TYCS.

strategy, aligned with the Citywide Strategic Policies, District Level Targets, and Community District Budget Needs identified in the Long-Term Plan, for the enhancement, expansion, and construction of new buildings and infrastructure, along with cost estimates. Similar to the PNA, the information contained in the TYCS would be presented without regard to the availability of funds, representing a “wish list” of capital needs. These reforms will complement the Council’s efforts to improve the resiliency of all City infrastructure through improved capital planning and transparency and accountability in the budget process.

Following the adoption of the Council’s Preferred Land Use Scenarios in February of year four, a Final TYCS would be produced by April of the same year, incorporating any changes necessary to align with the Adopted Preferred Scenarios.

### **Final Long-Term Plan**

OLTPS would then revise the Draft Long-Term Plan in response to public comment to produce a Final Long-Term Plan in June of year four, which would include all of the elements proposed in the Draft Long-Term Plan in addition to the Council’s Adopted Preferred Land Use Scenario for each Community District. If the Council failed to adopt a preferred scenario, OLTPS would choose a scenario and describe of how such selection was made.

### **Generic Environmental Review Statement**

The City would also be required to complete a Generic Environmental Impact Statement (GEIS) along with the Final Long-Term Plan by year four

## **PREPARING FOR CLIMATE CHANGE**

Without comprehensive planning, it is very unlikely that New York City will be able to adapt to the consequences of climate change in a rational and equitable way. As highlighted in Speaker Johnson’s 2020 State of the City report, *Securing our Future*, cities like New York are particularly vulnerable to climate change, as their populations are directly confronted by rising sea levels, intensifying storms, and extreme heat. Within cities, frontline communities have historically suffered disproportionately negative health and environmental effects and face even greater harmful impacts from climate change.<sup>164</sup>

As outlined in *Securing our Future*, building resilience demands a variety of strategies: policy change; incentives and regulation (building codes, zoning); and physical investments (green infrastructure, flood protection, housing). In some places, large infrastructure projects such as sea walls, levees, and dunes could be built to protect communities. In other places, a process of “managed retreat,” including limiting density, home buyout programs, or restoring natural areas like wetlands, could be conceivable. Planning for climate change in a “resiliency” policy silo or in a scattered neighborhood-by-neighborhood fashion limits our ability to understand the impacts of our policy choices and advance an integrated citywide strategy.

Perhaps more importantly, a piecemeal approach to this adaptation could be a disaster for equity and affordability, far beyond the City’s coasts. As the COVID-19 crisis has highlighted, the underlying inequities in our City will only be exacerbated by the existential threats that climate change poses to our City. Without a holistic approach that centers community engagement and issues of equity, the City will fail to sufficiently plan for and mitigate the impacts of sea level rise, poor air quality, extreme heat, and severe storms – and the City’s vulnerable, low-income, and communities of color will be the ones who suffer for it. Comprehensive planning has been identified by planning experts and leaders all across the globe as the strategy that best situates cities to tackle these issues equitably and to integrate sustainability into all aspects of city governance.<sup>165</sup> ◆

## DOING OUR FAIR SHARE, GETTING OUR FAIR SHARE

The siting of new City facilities—or significant expansion of facilities—also raises issues of equity, transparency, and accountability in the City’s planning processes. The 1989 Charter Revision Commission process led to the development of New York City’s Fair Share rules and established a process for considering fairness in siting municipal facilities through land use actions, leases, or contracts. In 2017 under Speaker Mark-Viverito, the Council released a report, *Doing our Fair Share, Getting Our Fair Share: Reforming NYC’s System for Achieving Fairness in Siting Municipal Facilities*. The report identified several major issues with respect to the city’s Fair Share processes and found that overall, Fair Share has not worked as the 1989 Charter Revision Commission intended.<sup>166</sup>

In some cases, the Council found that facility sitings and services have actually become less fair since 1989, but in most cases, DCP does not even release enough data for the public or Community Boards to evaluate the fairness of a proposed siting or make objective comparisons between communities. Even where capacity information is provided, that data needs to be combined with other census datasets to analyze distributional fairness with respect to geography and population.

The Citywide Statement of Needs (SON) is required by Charter Section 204 and was intended by the 1989 Charter Revision Commission to be a thoughtful and forward-looking planning document.<sup>167</sup> Unfortunately, the SON is not a very useful planning document—the Council has introduced a legislative package intended to increase transparency in the City’s siting decisions and to improve the usefulness of the SON for long-term planning purposes. ♦

of the ten-year planning process. The GEIS would identify the cumulative impacts and infrastructure needs triggered by the development, growth, or change proposed by the Long-Term Plan. The completion of this document would ensure that the vast majority of the environmental review procedures are already completed by the City, reducing developers’ CEQR compliance obligations for subsequent proposed actions carried out in conformance with the conditions and thresholds established by the actions covered by the GEIS.

Following the City’s completion of the GEIS, a developer that brings forth a consistent ULURP application would only need to produce supplemental materials to assess the particular impacts of the project at hand (e.g. construction and shadows). Given the significant cost of environmental review, this provision would not only ensure that the City performs its due diligence with respect to analyzing the impacts of the Long-Term Plan, but would also incentivize developers to bring forth applications that are consistent with the plan and covered by the analyses of the GEIS to reduce overall project costs.<sup>144</sup>

## Capital Commitment Plan

Finally, the Capital Commitment Plan (Commitment Plan), which is currently produced three times per year and covers the current fiscal year and the ensuing three fiscal years, would remain on the same reporting schedule, but would be extended to cover a ten-year period.

In contrast to the PNA and the TYCS, which are intended under this proposal to be comprehensive lists of all needed and desired capital projects, the Commitment Plan would be constrained by the City’s available budget and other capacity and implementation issues to demonstrate the priorities of the current Administration in a limited budget and resource environment. It would consider existing funding availability to show which projects the

Administration plans to fund within the ten-year reporting period. The chosen projects would either be derived from the PNA and the TYCS or would provide an explanation of why an included project deviates from the need previously assessed in those documents.

To connect the TYCS and annual budgets, each Executive Budget would be required to include in its message from the Mayor an itemized list of the needs outlined in the TYCS that are included in that year's appropriations.

## LAND USE REVIEW PROCESS

For the Long-Term Plan to fulfil its role as a strategic vision for citywide growth and development, public and private actors would be encouraged to submit rezoning applications that effectuate the plan. As such, all land use applications would include a Statement of Alignment to demonstrate how the application aligns, conflicts, or is not relevant to the Final Long-Term Plan.

The Statement of Alignment would include a discussion of the application's alignment with the Adopted Preferred Land Use Scenario and District Level Targets for the applicable Community District. The CPC would consider and assess Statements of Alignment and, in the event an application conflicts with the plan, provide a statement of rationale before approving it. Such Statement of Alignment would be included in public ULURP application materials and provided to Community Boards, Borough Presidents, and Council Members to inform their decisions on discretionary actions.

The Council would then only be required to vote on ULURP applications that are deemed by the CPC to conflict with the comprehensive plan. All ULURP applications that the CPC certifies as aligned with the comprehensive

plan would only be subject to a Council vote if it is "called-up" by the Council.<sup>ix</sup> Thus, development that builds on the adopted outcomes of this robust process will be incentivized to develop equitable growth and infrastructure, while maintaining critical checks in the land use review process.

## UPDATES & AMENDMENTS TO THE FINAL LONG-TERM PLAN

In February of year seven of the planning cycle, OLTPS would update and publish a new COC Report. Informed by the updated COC report, Community Board District Needs Statements, and public meetings, OLTPS would release an updated Citywide Goals Statement by November of year seven.

If OLTPS adds, eliminates, or substantially changes the District Level Targets (i.e. increases or decreases the quantifiable targets by more than 10 percent), OLTPS would be required to produce a formal Draft Long-Term Plan Amendment by June of year eight, which would be subject to Council review and adoption in year nine of the ten-year planning cycle.

The TYCS would also be prepared in year eight of this planning cycle and finalized in year nine, along with any amendments. In the case of an amendment, regardless of whether or not the amendment triggers a requirement for Council adoption, the TYCS would be required to cross-reference any new goals or budget priorities set forth in the amendment to the Long-Term Plan. Consistent with best practices, this amendment process would require the City to regularly update the plan in light of emerging trends and new economic conditions, to ensure the plan can effectively inform and direct private and public development and budget decisions.

<sup>ix</sup> Section 197-d(b)(3) of the New York City Charter and section 20-225 or 20-226 of the Administrative Code describe the types of and process by which certain land use actions may be called-up for Council Review. The Council's process for land use review call-up resolutions are specified in the Rules of the Council. At present, a call-up resolution can be introduced provided that the resolution is sponsored by (i) the Speaker; (ii) seven Council Members; or (iii) by the chair of the Land Use Committee.

## ANNUAL REPORTING & ACCOUNTABILITY

OLTPS’s annual reporting requirement will be expanded to include all aspects of the new Long-Term plan, including each strategic policy set forth in the plan and proposed rezoning actions such as citywide text amendments and neighborhood-wide rezonings—including an identification of the responsible agency and projected timeline for completion.<sup>145</sup>

The annual AIMS report would be amended to eliminate the \$10 million threshold and would instead only require an assessment of assets identified to be in poor condition in the PNS or to require action with a certain level of urgency, along with the associated cost estimate for the needed action. In addition, the AIMS report would include geographic information

(i.e. address, Council District, and Community District) and be posted online in machine-readable format. These reforms to the AIMS report would make it a more useful planning document for the purpose of informing the annual budget process and increasing transparency in how the City prioritizes and maintains its assets.

The new Long-Term Planning Steering Committee would play an ongoing role in the development of the Long-Term Plan, the implementation of its recommendations, and any proposed amendments. The Long-Term Planning Steering Committee will be required to convene no less than one public hearing a year, to help ensure that every Mayor is held accountable to the commitments and priorities developed through this robust and inclusive public planning process. ◆



# Conclusion

## CONCLUSION

The City's piecemeal approach to planning and capital infrastructure spending significantly constrains its ability to reduce inequality, support equitable growth, or adapt to the projected impacts of climate change. Stakeholders on all sides are unhappy with our land use processes and the opposition to development—equitable or not—has grown more fervent than ever before. We must come together as a City to share the responsibility of supporting growth and centering recovery for all—in a way that confronts our problematic past and prioritizes the principles of sustainability and equity for our future.

This report proposes that we try a new approach specifically designed to help us overcome our housing shortage to support sustainable, equitable growth that will stand up to the threats of a changing world. City agencies, elected leaders, community organizers, small businesses, tenants, landlords, Community Boards, and technical experts alike will need to work together toward our shared goals. If implemented, the proposal set forth in this report will lay the groundwork for integrating citywide planning with community-based planning for the first time in the City's history to create a shared vision for equitable, inclusive growth in New York City. ◆

### ABOUT THIS REPORT

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## End Notes

- <sup>1</sup> Zeeshan Aleem, *New CDC Data Shows COVID-19 is Affecting African Americans at Exceptionally High Rates*, Vox (Apr. 18, 2020), available at <https://www.vox.com/coronavirus-covid19/2020/4/18/21226225/coronavirus-black-cdc-infection>.
- <sup>2</sup> Heather Long & Andrew Van Dam, *U.S. Unemployment Rate Soars to 14.7 Percent, the Worst Since the Depression Era*, THE WASHINGTON POST (May 8, 2020), available at <https://www.washingtonpost.com/business/2020/05/08/april-2020-jobs-report/>.
- <sup>3</sup> CENTER FOR AN URBAN FUTURE, CAUTION AHEAD: FIVE YEARS LATER (Aug. 2019), available at <https://nycfuture.org/research/caution-ahead-five-years-later>.
- <sup>4</sup> NEW YORK CITY PANEL ON CLIMATE CHANGE, 2019 REPORT EXECUTIVE SUMMARY (Mar. 15, 2019), available at <https://nyaspubs.onlinelibrary.wiley.com/doi/10.1111/nyas.14008>.
- <sup>5</sup> *City Planning History*, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (2020), <https://www1.nyc.gov/site/planning/about/city-planning-history.page>.
- <sup>6</sup> CHARTER OF THE CITY OF NEW YORK §§ 192, 205 (2020).
- <sup>7</sup> PETER HALL, *CITIES OF TOMORROW: AN INTELLECTUAL HISTORY OF URBAN PLANNING AND DESIGN IN THE 21ST CENTURY* (2002); KEITH D. REVELL, *Regulating the Landscape: Real Estate Values, City Planning, and the 1916 Zoning Ordinance*, in *THE LANDSCAPE OF MODERNITY: NEW YORK CITY 1900-1940* (David Ward and Olivier Zunz eds., 1992); *City Fixed Limit on Tall Buildings*, NEW YORK TIMES (Jul. 26, 1916), available at <https://timesmachine.nytimes.com/timesmachine/1916/07/26/issue.html>.
- <sup>8</sup> CHRISTOPHER SILVER, *The Racial Origins of Zoning in America*, in *URBAN PLANNING AND THE AFRICAN AMERICAN COMMUNITY: IN THE SHADOWS* (June Manning Thomas and Marsha Ritzdorf, eds., 1996).
- <sup>9</sup> *DCP Director Marisa Lago's Remarks at Today's 163<sup>rd</sup> CityLaw Breakfast at New York Law School*, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (Oct. 4, 2019), <https://www1.nyc.gov/site/planning/about/press-releases/pr-20191004.page>.
- <sup>10</sup> KEITH D. REVELL, *Regulating the Landscape: Real Estate Values, City Planning, and the 1916 Zoning Ordinance*, in *THE LANDSCAPE OF MODERNITY: NEW YORK CITY 1900-1940* (David Ward and Olivier Zunz eds., 1992).
- <sup>11</sup> *Id.*
- <sup>12</sup> *Id.*
- <sup>13</sup> NEW YORK CHARTER REVISION COMMISSION OF 1936, PROPOSED CHARTER FOR THE CITY OF NEW YORK AND REPORT OF THE NEW YORK CITY CHARTER REVISION COMMISSION (Aug. 17, 1936), available at <https://babel.hathitrust.org/cgi/pt?id=mdp.39015082604532&view=1up&seq=5>.
- <sup>14</sup> Garret Dash Nelson, *Rexford Guy Tugwell and the Case for Big Urbanism*, PLACES JOURNAL (Jan. 2018), available at <https://places-journal.org/article/rexford-guy-tugwell-and-the-case-for-big-urbanism>.
- <sup>15</sup> NEW YORK CHARTER REVISION COMMISSION OF 1936, PROPOSED CHARTER FOR THE CITY OF NEW YORK AND REPORT OF THE NEW YORK CITY CHARTER REVISION COMMISSION (Aug. 17, 1936), available at <https://babel.hathitrust.org/cgi/pt?id=mdp.39015082604532&view=1up&seq=5>.
- <sup>16</sup> JOEL SCHWARTZ & KEITH REVELL, *Building Gotham: Civic Culture and Public Policy in New York City 1898-1938*, in *THE LANDSCAPE OF MODERNITY: NEW YORK CITY 1900-1940* (David Ward and Olivier Zunz eds., 1992).
- <sup>17</sup> ROBERT CARO, *THE POWER BROKER: ROBERT MOSES AND THE FALL OF NEW YORK* (1975).
- <sup>18</sup> JOEL SCHWARTZ, *THE NEW YORK APPROACH: ROBERT MOSES, URBAN LIBERALS, AND REDEVELOPMENT OF THE INNER CITY* (1993).
- <sup>19</sup> *Id.*; Mark I. Gelfand, *Rexford G. Tugwell and the Frustration of Planning in New York City*, 51 J. AM. PLANNING ASSOC. 151 (1985).
- <sup>20</sup> JOEL SCHWARTZ, *THE NEW YORK APPROACH: ROBERT MOSES, URBAN LIBERALS, AND REDEVELOPMENT OF THE INNER CITY* (1993).
- <sup>21</sup> Robert Moses, *Mr. Moses Dissects the Long-Haired Planners*, NEW YORK TIMES (Jun. 25, 1944), available at <https://www.nytimes.com/1944/06/25/archives/mr-moses-dissects-the-longhaired-planners-the-park-commissioner.html>.
- <sup>22</sup> JOEL SCHWARTZ, *THE NEW YORK APPROACH: ROBERT MOSES, URBAN LIBERALS, AND REDEVELOPMENT OF THE INNER CITY* (1993).
- <sup>23</sup> *Id.*
- <sup>24</sup> Steven C. Forest, *The Effect of Title I of the 1949 Federal Housing Act on New York City Cooperative and Condominium Conversion Plans*, 13 FORDHAM URB. L.J. 723 (1985).
- <sup>25</sup> *Id.*
- <sup>26</sup> *Reviewing Past Urban Plans*, URB. REVIEWER (2020), <http://www.urbanreviewer.org/#map=12/40.7400/-74.0011&page=about.html>; Joshel Melgarejo, *Race, Displacement, and City Planning in NYC: A Q&A with the Editor of Zoned Out*, GOTHAMIST (Dec. 18, 2016), available at <https://gothamist.com/news/race-displacement-and-city-planning-in-nyc-a-qa-with-the-editor-of-zoned-out>; Steven C. Forest, *The Effect of Title I of the 1949 Federal Housing Act on New York City Cooperative and Condominium Conversion Plans*, 13 FORDHAM URB. L.J. 723 (1985).
- <sup>27</sup> *City Planning History*, NEW YORK CITY DEP'T OF CITY PLANNING, (2020), <https://www1.nyc.gov/site/planning/about/city-planning-history.page>; Norman Marcus, Esq., *New York City Zoning – 1961-1991: Turning Back The Clock – But With An Up-To-The-Minute Social Agenda*, 19 Fordham Urb. L.J. 707 (1992).
- <sup>28</sup> *City Planning History*, NEW YORK CITY DEP'T OF CITY PLANNING, (2020), <https://www1.nyc.gov/site/planning/about/city-planning-history.page>.
- <sup>29</sup> *Id.*
- <sup>30</sup> NEW YORK CITY PLANNING COMMISSION, PLAN FOR NEW YORK CITY (1969), available at <https://archive.org/details/planfornewyork-ci00newy/>; Martin Tolchin, *Panel Assails City Master Plan As a Public Relations Device*, NEW YORK TIMES (Jul. 22, 1970), available at <https://www.nytimes.com/1970/07/22/archives/panel-assails-city-master-plan-as-a-public-relations-device.html>.
- <sup>31</sup> Paul Goldberger, *Why the City is Switching From Master Plan to Miniplan*, NEW YORK TIMES (Jun. 27, 1974), available at <https://www.nytimes.com/1974/06/27/archives/-master-vs-mini-plan.html>; PLAN FOR NEW YORK CITY, NEW YORK CITY PLANNING COMMISSION (1969), available at <https://archive.org/details/planfornewyorkci00newy/>.
- <sup>32</sup> STATE CHARTER REVISION COMMISSION FOR NEW YORK CITY, FINAL REPORT OF THE STATE CHARTER REVISION COMMISSION FOR NEW YORK CITY (1975), available at <https://www.worldcat.org/title/final-report-of-the-state-charter-revision-commission-for-new-york-city/oclc/1674198>.
- <sup>33</sup> *Id.*
- <sup>34</sup> *Id.*
- <sup>35</sup> *Id.*
- <sup>36</sup> NEW YORK CITY CHARTER REVISION COMMISSION OF 1989, SUMMARY OF FINAL PROPOSALS (Aug. 1989), available at [https://www1.nyc.gov/assets/charter/downloads/pdf/1989\\_final\\_report.pdf](https://www1.nyc.gov/assets/charter/downloads/pdf/1989_final_report.pdf).
- <sup>37</sup> *Id.*
- <sup>38</sup> CHARTER OF THE CITY OF NEW YORK § 192 (2020).
- <sup>39</sup> NEW YORK CITY PLANNING COMMISSION, SHAPING THE CITY'S FUTURE: NEW YORK CITY PLANNING AND ZONING REPORT (1993), available at [http://www.nyc.gov/html/rabc/downloads/pdf/dcp\\_shaping\\_the\\_citys\\_futuresmall.pdf](http://www.nyc.gov/html/rabc/downloads/pdf/dcp_shaping_the_citys_futuresmall.pdf); Leonard Butler, *Man in the News: A Visionary as Planner: Richard Lance Schaffer*, NEW YORK TIMES (Apr. 7, 1990), available at <https://www.nytimes.com/1990/04/07/nyregion/man-in-the-news-a-visionary-as-planner-richard-lance-schaffer.html>.
- <sup>40</sup> NEW YORK CITY PLANNING COMMISSION, SHAPING THE CITY'S FUTURE: NEW YORK CITY PLANNING AND ZONING REPORT (1993), available at [http://www.nyc.gov/html/rabc/downloads/pdf/dcp\\_shaping\\_the\\_citys\\_futuresmall.pdf](http://www.nyc.gov/html/rabc/downloads/pdf/dcp_shaping_the_citys_futuresmall.pdf).

- <sup>41</sup> *Id.*
- <sup>42</sup> ALEX GARVIN AND ASSOCIATES, INC., VISION FOR NEW YORK CITY: HOUSING AND THE PUBLIC REALM (May 26, 2006), available at [https://nyc.streetsblog.org/wp-content/uploads/2006/08/Garvin\\_Report\\_Full.pdf](https://nyc.streetsblog.org/wp-content/uploads/2006/08/Garvin_Report_Full.pdf).
- <sup>43</sup> *Id.*
- <sup>44</sup> Ben Max & Gabriel Slaughter, *New York City Doesn't Have a Comprehensive Plan; Does It Need One?*, GOTHAM GAZETTE (May 16, 2018), available at <https://www.gothamgazette.com/city/7674-new-york-city-doesn-t-have-a-comprehensive-plan-does-it-need-one>.
- <sup>45</sup> ICLEI—LOCAL GOVERNMENTS FOR SUSTAINABILITY USA, THE PROCESS BEHIND PLANYC (Apr. 2010), available at [http://s-media.nyc.gov/agencies/planyc2030/pdf/iclei\\_planyc\\_case\\_study\\_201004.pdf](http://s-media.nyc.gov/agencies/planyc2030/pdf/iclei_planyc_case_study_201004.pdf).
- <sup>46</sup> PLANYC 2030, CITY OF NEW YORK (2007), available at [http://www.nyc.gov/html/planyc/downloads/pdf/publications/full\\_report\\_2007.pdf](http://www.nyc.gov/html/planyc/downloads/pdf/publications/full_report_2007.pdf).
- <sup>47</sup> *Id.*
- <sup>48</sup> Sam Roberts, *Years After It Was Abolished, A City Board Lives On*, NEW YORK TIMES (Aug. 20, 2012), available at <https://cityroom.blogs.nytimes.com/2012/08/20/years-after-it-was-abolished-a-city-board-lives-on/>.
- <sup>49</sup> NEW YORK CITY REPORT AND ADVISORY BOARD REVIEW COMMISSION, AGENCY COMMENTS (May 2012), available at [http://www.nyc.gov/html/rabrc/downloads/pdf/agency\\_comments\\_07022012.pdf](http://www.nyc.gov/html/rabrc/downloads/pdf/agency_comments_07022012.pdf).
- <sup>50</sup> NEW YORK CITY PLANNING COMMISSION, SHAPING THE CITY'S FUTURE: NEW YORK CITY PLANNING AND ZONING REPORT (1993), available at [http://www.nyc.gov/html/rabrc/downloads/pdf/dcp\\_shaping\\_the\\_citys\\_futuresmall.pdf](http://www.nyc.gov/html/rabrc/downloads/pdf/dcp_shaping_the_citys_futuresmall.pdf).
- <sup>51</sup> *Id.*
- <sup>52</sup> NEW YORK CITY REPORT AND ADVISORY BOARD REVIEW COMMISSION, AGENCY COMMENTS (May 2012), available at [http://www.nyc.gov/html/rabrc/downloads/pdf/agency\\_comments\\_07022012.pdf](http://www.nyc.gov/html/rabrc/downloads/pdf/agency_comments_07022012.pdf).
- <sup>53</sup> *Id.*
- <sup>54</sup> *Id.*
- <sup>55</sup> THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).
- <sup>56</sup> CHARTER OF THE CITY OF NEW YORK § 20 (2020).
- <sup>57</sup> THE CITY OF NEW YORK, ONENYC 2050: BUILDING A STRONG AND FAIR CITY (Apr. 2019), available at <http://onenyc.cityofnewyork.us/>.
- <sup>58</sup> *Id.*
- <sup>59</sup> Shelby D. Green, *The Search for a National Land Use Policy: For the Cities' Sake*, 26 FORDHAM URB. L.J. 69 (1998).
- <sup>60</sup> GERRIT-JAN KNAAP, ZORICA NEDOVIC-BUDIC, & ARMANDO CARBONELLE, LINCOLN INSTITUTE OF LAND POLICY, PLANNING FOR STATES AND NATION-STATES IN THE US AND EUROPE (2015), available at <https://www.lincolnst.edu/sites/default/files/pubfiles/planning-for-states-and-nation-states-usa-europe-full.pdf>.
- <sup>61</sup> *Id.*; Stuart Meck, *The Legislative Requirement that Zoning and Land Use Controls Be Consistent with an Independently Adopted Local Comprehensive Plan: A Model Statute*, 3 WASH. U. J. L. & POL'Y 295 (2000); RHODE ISLAND COMPREHENSIVE PLANNING ADVISORY COMMITTEE, THE COMPREHENSIVE PLAN 101 (Jan. 14, 2015), available at [http://www.planning.ri.gov/documents/comp\\_handbook/1\\_comp\\_plan101.pdf](http://www.planning.ri.gov/documents/comp_handbook/1_comp_plan101.pdf); *Developing Effective State-Level Growth Management Legislation*, SIERRA CLUB (2020), <https://vault.sierraclub.org/sprawl/resources/challenge/state.asp>.
- <sup>62</sup> John R. Nolon, *Comparative Land Use Law: Patterns of Sustainability*, 23 PACE ENVTL. L. REV. 855 (2006).
- <sup>63</sup> Kathleen McCormick, *No Little Plans: The Evolution of the Comprehensive Plan*, LAND LINES MAGAZINE (Apr. 2017), available at <https://www.lincolnst.edu/sites/default/files/pubfiles/no-little-plans-lla170404.pdf>.
- <sup>64</sup> STEVE SMITH, KURT GAERTNER, & GLENN GARBER, COMPREHENSIVE PLANNING: BRINGING IT ALL TOGETHER, PRESERVING AND ENHANCING COMMUNITIES (2007); CITY OF BOSTON, MA., IMAGINE BOSTON 2030 (2018), available at <https://www.boston.gov/civic-engagement/imagine-boston-2030>; CITY OF DALLAS, TX., FORWARD DALLAS! COMPREHENSIVE PLAN (2006), available at <https://dallascityhall.com/departments/pnv/strategic-planning/Pages/comprehensive-plan.aspx>; CITY OF DENVER, CO., BLUEPRINT DENVER PLAN (2002), available at <https://www.denvergov.org/content/denvergov/en/denveright/land-use-transportation.html>.
- <sup>65</sup> DAVID R. GODSCHALK & DAVID C. ROUSE, AM. PLANNING ASSOC., SUSTAINING PLACES: BEST PRACTICES FOR COMPREHENSIVE PLANNING (2015), available at [http://www.joslynuttc.org/apa\\_sustaining\\_places.pdf](http://www.joslynuttc.org/apa_sustaining_places.pdf).
- <sup>66</sup> *Comprehensive Plan Standards for Sustaining Places*, AM. PLANNING ASSOC. (2020), <https://www.planning.org/sustainingplaces/compplanstandards/>.
- <sup>67</sup> CITY OF BUFFALO, N.Y., QUEEN CITY IN THE 21ST CENTURY: BUFFALO'S COMPREHENSIVE PLAN (2006), available at <http://www.oneregionforward.org/plan/queen-city-in-the-21st-century-comprehensive-plan/>; CITY OF ROCHESTER NY, ROCHESTER 2034 (2019), available at <https://rochester2034.com/>; CITY OF SYRACUSE NY, COMPREHENSIVE PLAN 2040 (2012), available at <http://www.syr.gov.net/uploadedfiles/Comp%20Plan%20amended%202013-08-14.pdf>; CITY OF ALBANY, N.Y., ALBANY 2030 (2012), available at <http://www.albany2030.org/>; CITY OF NEW ROCHELLE, N.Y., THE NEW ROCHELLE COMPREHENSIVE PLAN (2016), available at [https://www.newrochelleny.com/document-center/View/5864/New-Rochelle-Comprehensive-Plan---Recommendations\\_r2\\_160318](https://www.newrochelleny.com/document-center/View/5864/New-Rochelle-Comprehensive-Plan---Recommendations_r2_160318); CITY OF SCHENECTADY, N.Y., COMPREHENSIVE PLAN (2020) available at <https://www.cityofschenectady.com/196/Comprehensive-Plan>; CITY OF UTICA, N.Y., A SUSTAINABLE NEIGHBORHOOD-BASED MASTER PLAN (2011), available at <http://www.cityofutica.com/Assets/Departments/Urban-and-Economic-Development/PDF-Documents/Planning-Studies/Master-Plan/Master%20Plan.pdf>; CITY OF TROY, N.Y., REALIZE TROY: A NEW COMPREHENSIVE PLAN (2018), available at <https://www.documentcloud.org/documents/4493185-2018-05-13-Realize-Troy-Comprehensive-Plan-Web.html>.
- <sup>68</sup> N.Y. GEN. CITY LAW § 28a (2020).
- <sup>69</sup> ADELINE MINELLI, FRANK J. GUARINI CENTER ON ENVIRONMENTAL, ENERGY, AND LAND USE LAW AT NYU SCHOOL OF LAW, REFORMING CEQR-IMPROVING MITIGATION UNDER THE CITY ENVIRONMENTAL QUALITY REVIEW PROCESS (Feb. 27, 2020), available at <https://guarinicenter.org/reforming-ceqr/>.
- <sup>70</sup> *Id.*
- <sup>71</sup> *Id.*
- <sup>72</sup> *Id.*
- <sup>73</sup> CITY OF SEATTLE, SEATTLE 2035: YOUR CITY, YOUR FUTURE (May 5, 2016), available at <http://www.seattle.gov/opcd/ongoing-initiatives/comprehensive-plan>
- <sup>74</sup> *Population and Demographics: Data Dashboards*, SEATTLE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT, (2020), <https://www.seattle.gov/opcd/population-and-demographics>.
- <sup>75</sup> NEW YORK CITY RENT GUIDELINES BOARD, 2018 HOUSING SUPPLY REPORT (May 24, 2018), available at <https://www1.nyc.gov/assets/rent-guidelinesboard/pdf/18HSR.pdf>.
- <sup>76</sup> SEATTLE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT, SEATTLE 2035: GROWTH AND EQUITY: ANALYZING IMPACTS ON DISPLACEMENT AND OPPORTUNITY RELATED TO SEATTLE'S GROWTH STRATEGY (May 2016), available at <https://www.seattle.gov/Documents/Departments/OPCD/ongoinginitatives/seattlescomprehensiveplan/final-growthandequityanalysis.pdf>.
- <sup>77</sup> *Concurrency Under the Washington State Growth Management Act*, MUNICIPAL RESEARCH AND SERVICES CENTER, (2020), <http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Concurrency.aspx>.

- <sup>78</sup> Erick Trickey, *Has Seattle Found the Solution to Driving Alone to Work?*, POLITICO MAGAZINE (May 23, 2019), available at <https://www.politico.com/magazine/story/2019/05/23/seattle-car-free-transportation-what-works-226935>; Angie Schmitt, *How Two Cities Actually Reduced Driving*, STREETS BLOG USA (Feb. 8, 2019), available at <https://usa.streetsblog.org/2019/02/08/minneapolis-and-seattle-have-achieved-the-holy-grail-for-sustainable-transportation/>.
- <sup>79</sup> JOHN M. BRYSON & KIMBERLY B. BOAL, THE STRATEGIC MANAGEMENT RESEARCH CENTER, STRATEGIC MANAGEMENT IN A METROPOLITAN AREA; THE IMPLEMENTATION OF MINNESOTA'S METROPOLITAN LAND PLANNING ACT OF 1976 (1983), available at <https://www.leg.state.mn.us/docs/pre2003/other/840831.pdf>; MINNESOTA STATE LEGISLATURE (1976), available at <https://www.revisor.mn.gov/statutes/cite/473>.
- <sup>80</sup> METROPOLITAN COUNCIL, OVERVIEW: METROPOLITAN LAND PLANNING ACT AND COMPREHENSIVE PLANS (Mar. 20, 2019), available at <https://metrocouncil.org/Council-Meetings/Committees/Committee-of-the-Whole/2019/March-20,-2019/Info-1.aspx>; MINNESOTA STATE LEGISLATURE (1976), available at <https://www.revisor.mn.gov/statutes/cite/473>.
- <sup>81</sup> CITY OF MINNEAPOLIS, MINNEAPOLIS 2040 – THE CITY'S COMPREHENSIVE PLAN (2019), available at [https://minneapolis2040.com/media/1488/pdf\\_minneapolis2040.pdf](https://minneapolis2040.com/media/1488/pdf_minneapolis2040.pdf).
- <sup>82</sup> *Id.*
- <sup>83</sup> RICHARD D. KAHLBERG, THE CENTURY FOUNDATION, HOW MINNEAPOLIS ENDED SINGLE-FAMILY ZONING (2019), available at <https://tcf.org/content/report/minneapolis-ended-single-family-zoning/>.
- <sup>84</sup> *Id.*
- <sup>85</sup> DAVID R. GODSCHALK & DAVID C. ROUSE, AMERICAN PLANNING ASSOCIATION, SUSTAINING PLACES: BEST PRACTICES FOR COMPREHENSIVE PLANNING (2015), available at [http://www.joslynutc.org/apa\\_sustaining\\_places.pdf](http://www.joslynutc.org/apa_sustaining_places.pdf).
- <sup>86</sup> 2019 CHARTER REVISION COMMISSION, PRELIMINARY STAFF REPORT (Apr. 2019), available at <https://www.charter2019.nyc/april>.
- <sup>87</sup> *Id.*
- <sup>88</sup> *Id.*
- <sup>89</sup> CHARTER OF THE CITY OF NEW YORK § 20 (2020).
- <sup>90</sup> Jarrett Murphy, *Five Boroughs, One City, No Plan*, CITY LIMITS (Dec. 21, 2010), available at <https://citylimits.org/2010/12/21/five-boroughs-one-city-no-plan/>; Noah Kazis, *Planners Tackle Big Questions About How to Shape NYC Development*, STREETS BLOG (Jul. 22, 2010), available at <https://nyc.streetsblog.org/2010/07/22/planners-tackle-big-questions-about-how-to-shape-nyc-development/>; Tom Angotti, *Is New York's Sustainability Plan Sustainable?*, ASSOC. OF COLLEGIATE SCHOOLS OF PLANNING AND ASSOCIATION OF EUROPEAN SCHOOLS OF PLANNING (Jul. 2008), available at <https://www.sallan.org/pdf-docs/Torchlight-Cannot-Wait-Is-nycs-Sustainability-Plan-Sustainable.pdf>.
- <sup>91</sup> THE CITY OF NEW YORK, ONENYC 2050: BUILDING A STRONG AND FAIR CITY (Apr. 2019), available at <http://onenyc.cityofnewyork.us/>.
- <sup>92</sup> Nikhita Venugopal, *Downtown Brooklyn Facing 'School Capacity Crisis,' Borough President Warns*, DNAINFO (Dec. 21, 2015), available at <https://www.dnainfo.com/new-york/20151221/downtown-brooklyn/downtown-brooklyn-facing-school-capacity-crisis-borough-president-warns/>; NOAH REMNICK, *New York Buys Last Tract for Williamsburg Waterfront Park for \$160 Million*, NEW YORK TIMES (Nov. 24, 2016), available at <https://www.nytimes.com/2016/11/24/nyregion/new-york-buys-last-tract-for-williamsburg-waterfront-park-for-160-million.html>.
- <sup>93</sup> *Rezoning Commitments Tracker*, NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS, (2020), <https://www1.nyc.gov/site/operations/performance/neighborhood-rezoning-commitments-tracker.page>.
- <sup>94</sup> THE CITY OF NEW YORK, PLANYC 2030 (2007), available at [http://www.nyc.gov/html/planyc/downloads/pdf/publications/full\\_report\\_2007.pdf](http://www.nyc.gov/html/planyc/downloads/pdf/publications/full_report_2007.pdf).
- <sup>95</sup> Sustainability, Transit Oriented Development Institute, (Aug. 17, 2020), <http://www.tod.org/sustainability.html>.
- <sup>96</sup> FURMAN CENTER FOR REAL ESTATE AND URBAN POLICY, HOW HAVE RECENT REZONINGS AFFECTED THE CITY'S ABILITY TO GROW? (Mar. 2010), available at [https://furmancenter.org/files/publications/Rezoning\\_Furman\\_Center\\_Policy\\_Brief\\_March\\_2010.pdf](https://furmancenter.org/files/publications/Rezoning_Furman_Center_Policy_Brief_March_2010.pdf).
- <sup>97</sup> *Id.*
- <sup>98</sup> FURMAN CENTER FOR REAL ESTATE AND URBAN POLICY, SEARCHING FOR THE RIGHT SPOT: MINIMUM PARKING REQUIREMENTS AND HOUSING AFFORDABILITY IN NEW YORK CITY (Mar. 2012), available at [https://furmancenter.org/files/publications/furman\\_parking\\_requirements\\_policy\\_brief\\_3\\_21\\_12\\_final.pdf](https://furmancenter.org/files/publications/furman_parking_requirements_policy_brief_3_21_12_final.pdf).
- <sup>99</sup> Land Use Expert Forum, Hearing Before the New York City Charter Revision Commission (Mar. 16, 2019) (Statement of Elena Conte, Dep. Dir., Pratt Cent. For Cmty. Dev.).
- <sup>100</sup> PRATT CENTER FOR COMMUNITY DEVELOPMENT, CITY CHARTER REVISION: WHERE LAND USE FITS IN (2010), available at [https://prattcenter.net/sites/default/files/prattcenter\\_charterbrief.pdf](https://prattcenter.net/sites/default/files/prattcenter_charterbrief.pdf).
- <sup>101</sup> *Id.*
- <sup>102</sup> CHARTER OF THE CITY OF NEW YORK § 20 (2020).
- <sup>103</sup> Tom Angotti, *Is New York's Sustainability Plan Sustainable?*, ASSOCIATION OF COLLEGIATE SCHOOLS OF PLANNING AND ASSOCIATION OF EUROPEAN SCHOOLS OF PLANNING (Jul. 2008), available at <https://www.sallan.org/pdf-docs/Torchlight-Cannot-Wait-Is-nycs-Sustainability-Plan-Sustainable.pdf>.
- <sup>104</sup> Land Use Expert Forum, Hearing Before the New York City Charter Revision Commission (Mar. 21, 2019) (Statement of Maulin Mehta, Reg. Plan. Assn.).
- <sup>105</sup> Norman Marcus, *New York City Zoning – 1961-1991: Turning Back The Clock – But With An Up-To-The-Minute Social Agenda*, 19 FORDHAM URB. L.J. 707 (1992).
- <sup>106</sup> Emily Badger & Luis Ferre-Sadiurni, *As Bloomberg's New York Prospered, Inequality Flourished Too*, NEW YORK TIMES (Nov. 9, 2019), available at <https://www.nytimes.com/2019/11/09/upshot/bloomberg-new-york-prosperity-inequality.html>.
- <sup>107</sup> Janny Scott, *In a Still-Growing City, Some Neighborhoods Say Slow Down*, NEW YORK TIMES (Oct. 10, 2005), available at <https://www.nytimes.com/2005/10/10/nyregion/in-a-stillgrowing-city-some-neighborhoods-say-slow-down.html>.
- <sup>108</sup> FURMAN CENTER FOR REAL ESTATE AND URBAN POLICY, HOW HAVE RECENT REZONINGS AFFECTED THE CITY'S ABILITY TO GROW?, (Mar. 2010), available at [https://furmancenter.org/files/publications/Rezoning\\_Furman\\_Center\\_Policy\\_Brief\\_March\\_2010.pdf](https://furmancenter.org/files/publications/Rezoning_Furman_Center_Policy_Brief_March_2010.pdf).
- <sup>109</sup> THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).
- <sup>110</sup> Sadeef Ali Kully, *Bay Street Rezoning Wins Unanimous Committee OK*, CITY LIMITS (Jun. 11, 2019), available at <https://citylimits.org/2019/06/11/bay-street-rezoning-committee-vote/>; Sam Raskin, *Questions Arise as de Blasio Rezones Series of Low-Income Neighborhoods*, GOTHAM GAZETTE (Mar. 7, 2018), available at <https://www.gothamgazette.com/city/7521-questions-arise-as-de-blasio-rezones-series-of-low-income-neighborhoods>.
- <sup>111</sup> THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).
- <sup>112</sup> Sadeef Ali Kully, *Bay Street Rezoning Wins Unanimous Committee OK*, CITY LIMITS (Jun. 11, 2019), available at <https://citylimits.org/2019/06/11/bay-street-rezoning-committee-vote/>.
- <sup>113</sup> Samuel Stein, *Progress For Whom, Toward What? Progressive Politics and New York City's Mandatory Inclusionary Housing*, JOURNAL OF URBAN AFFAIRS (Jan. 12, 2018), available at <http://www.thebyberhood.net/documents/papers/Stein.pdf>.
- <sup>114</sup> New York City Council Budget and Oversight Hearings on the Fiscal Year 2019 Preliminary Budget Hearing Before the

- Committee on Land Use (Mar. 15, 2018) (Statement of Marisa Lago, Chairperson of the City Planning Commission and Director of the Department of City Planning).
- 115** Eric Kober, *De Blasio's Mandatory Inclusionary Housing Program: What Is Wrong and How It Can Be Made Right*, THE MANHATTAN INSTITUTE (Jan. 2020), available at <https://media4.manhattan-institute.org/sites/default/files/deblasios-mandatory-inclusionary-housing-program.pdf>.
- 116** THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).
- 117** *New York City Department of City Planning, PLACES: PLANNING FOR LIVABILITY, AFFORDABILITY, COMMUNITY, ECONOMIC OPPORTUNITY, AND SUSTAINABILITY* (2020), <https://www1.nyc.gov/site/planning/plans/places.page>; Janet Babin, *City to Proposed \$1 Billion Neighborhood Development Fund*, WNYC (May 18, 2015), available at <https://www.wnyc.org/story/city-propose-1-billion-neighborhood-development-fund/>.
- 118** NYC Zola – NYC's Zoning and Land Use Map, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (2020), <https://zola.planning.nyc.gov/about>; *Population Factfinder*, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (2020), <https://popfactfinder.planning.nyc.gov/>; *Zoning Application Portal*, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (2020), <https://zap.planning.nyc.gov/projects>.
- 119** CHARTER OF THE CITY OF NEW YORK § 215 (2020).
- 120** *Id.*
- 121** NEW YORK CITY COUNCIL, REPORT OF THE FINANCE DIVISION ON THE PRELIMINARY TEN-YEAR STRATEGY FOR FISCAL 2020-2029, FISCAL 2020 PRELIMINARY CAPITAL BUDGET, AND FISCAL 2020 PRELIMINARY CAPITAL COMMITMENT PLAN (Mar. 6, 2019), available at [https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/FY20-Preliminary-Capital-Report\\_Final.pdf](https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/FY20-Preliminary-Capital-Report_Final.pdf).
- 122** *Ten Year Capital Strategy*, CITY OF NEW YORK, (2020), <https://tycs.planning.nyc.gov/>.
- 123** THE CITY OF NEW YORK, PRELIMINARY TEN-YEAR CAPITAL STRATEGY FISCAL YEARS 2020-2029 (Feb. 2019), available at <https://www1.nyc.gov/assets/omb/downloads/pdf/ptyp2-19.pdf>.
- 124** NEW YORK CITY COUNCIL, REPORT OF THE FINANCE DIVISION ON THE PRELIMINARY TEN-YEAR STRATEGY FOR FISCAL 2020-2029, FISCAL 2020 PRELIMINARY CAPITAL BUDGET, AND FISCAL 2020 PRELIMINARY CAPITAL COMMITMENT PLAN (Mar. 6, 2019), available at [https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/FY20-Preliminary-Capital-Report\\_Final.pdf](https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/FY20-Preliminary-Capital-Report_Final.pdf).
- 125** THE CITY OF NEW YORK, PRELIMINARY TEN-YEAR CAPITAL STRATEGY FISCAL YEARS 2020-2029 (Feb. 2019), available at <https://www1.nyc.gov/assets/omb/downloads/pdf/ptyp2-19.pdf>.
- 126** *Id.*
- 127** CHARTER OF THE CITY OF NEW YORK § 1110a (2020).
- 128** CITY OF NEW YORK, ASSET INFORMATION MANAGEMENT SYSTEM REPORT (AIMS) (Nov. 27, 2019), available at <https://www1.nyc.gov/assets/omb/downloads/pdf/as12-19.pdf>.
- 129** NEW YORK CITY COUNCIL, SECURING OUR FUTURE (Mar. 2020), available at [http://council.nyc.gov/data/wp-content/uploads/sites/73/2020/03/Securing-our-Future\\_Report-2020.r4.pdf](http://council.nyc.gov/data/wp-content/uploads/sites/73/2020/03/Securing-our-Future_Report-2020.r4.pdf).
- 130** *BCAS Reports for the 2018-2019 School Year*, NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY, (2020), <https://survey.nycsca.org/bcas/?Bldg=X148>.
- 131** CITY OF NEW YORK, 2020-2024 FIVE-YEAR CAPITAL PLAN PROPOSED AMENDMENT (Nov. 2019), available at [https://dnn-hh5cc1.blob.core.windows.net/portals/0/Capital\\_Plan/Capital\\_plans/11012018\\_20\\_24\\_capitalplan.pdf?Sr=b&si=dnnfilemanagerpolicy&sig=uodzgbpdhylwx6mumiqh2i2zkmox-9no%2bpgs6g%2fazzoy%3D](https://dnn-hh5cc1.blob.core.windows.net/portals/0/Capital_Plan/Capital_plans/11012018_20_24_capitalplan.pdf?Sr=b&si=dnnfilemanagerpolicy&sig=uodzgbpdhylwx6mumiqh2i2zkmox-9no%2bpgs6g%2fazzoy%3D).
- 132** *Community District Profiles*, NEW YORK CITY DEPARTMENT OF CITY PLANNING, (2020), available at [nyc.gov/about](https://communityprofiles.planning.nyc.gov/about).
- 133** *Register of Community Board Budget Requests*, NEW YORK CITY OPEN DATA, (2020), <https://data.cityofnewyork.us/City-Government/Register-of-Community-Board-Budget-Requests/vn4m-mk4>.
- 134** CITY OF NEW YORK, TEN YEAR CAPITAL STRATEGY, FISCAL YEARS 2020-2029 (Apr. 2019), available at <https://www1.nyc.gov/assets/omb/downloads/pdf/typ4-19.pdf>.
- 135** Roderick M. Hills & David Schleicher, *Planning an Affordable City*, 101 IOWA L. REV. 91 (2015).
- 136** *Id.*
- 137** CHARTER OF THE CITY OF NEW YORK § 20 (2020).
- 138** Jonathan Sperling, *Department of City Planning Upgrades Community Boards Needs and Budget Request Tool*, QUEENS DAILY EAGLE (Aug. 27, 2019), available at <https://queenseagle.com/all/department-of-city-planning-upgrades-community-board-needs-and-budget-request-tool>.
- 139** NEW YORK CITY PANEL ON CLIMATE CHANGE, 2019 REPORT EXECUTIVE SUMMARY (Mar. 15, 2019), available at <https://nyaspubs.onlinelibrary.wiley.com/doi/10.1111/nyas.14008>.
- 140** CHARTER OF THE CITY OF NEW YORK § 205 (2020).
- 141** *Id.* at § 16.
- 142** *Id.* at § 192.
- 143** *Id.* at § 17.
- 144** ADELIN MINELLI, FRANK J. GUARINI CENTER ON ENVIRONMENTAL, ENERGY, AND LAND USE LAW AT NYU SCHOOL OF LAW, REFORMING CEQR-IMPROVING MITIGATION UNDER THE CITY ENVIRONMENTAL QUALITY REVIEW PROCESS (Feb. 27, 2020), available at <https://guarinicenter.org/reforming-ceqr/>.
- 145** CHARTER OF THE CITY OF NEW YORK § 20 (2020).
- 146** Rolf Pendall and Vanessa Brown Calder, *Finding Common Ground on Land Use Regulation Reform*, URBAN WIRE: NEIGHBORHOODS, CITIES, AND METROS (Aug. 1, 2017), available at <https://www.urban.org/urban-wire/finding-common-ground-land-use-regulation-reform>.
- 147** Gregg G. Van Ryzin and Andrew Genn, *Neighborhood Change and the City of New York's Ten-Year Housing Plan*, HOUSING POLICY DEBATE (1999), available at [https://www.innovations.harvard.edu/sites/default/files/hpd\\_1004\\_ryzin.pdf](https://www.innovations.harvard.edu/sites/default/files/hpd_1004_ryzin.pdf).
- 148** Joyce Purnick, *Koch to Announce Plan for 250,000 Apartments*, NEW YORK TIMES (Apr. 30, 1986), available at <https://www.nytimes.com/1986/04/30/nyregion/koch-to-announce-plan-for-250000-apartments.html>.
- 149** Gregg G. Van Ryzin and Andrew Genn, *Neighborhood Change and the City of New York's Ten-Year Housing Plan*, HOUSING POLICY DEBATE (1999), available at [https://www.innovations.harvard.edu/sites/default/files/hpd\\_1004\\_ryzin.pdf](https://www.innovations.harvard.edu/sites/default/files/hpd_1004_ryzin.pdf).
- 150** Barry Elmedni, *The Mirage of Housing Affordability: An Analysis of Affordable Housing Plans in New York City*, SAGE OPEN (2018), available at <https://journals.sagepub.com/doi/pdf/10.1177/2158244018809218>; Dennis Hevesi, *Transforming City's Housing: Act 2*, NEW YORK TIMES (May 2, 2004), available at <https://www.nytimes.com/2004/05/02/realestate/transforming-city-s-housing-act-2.html>.
- 151** PETER HALL, *CITIES OF TOMORROW: AN INTELLECTUAL HISTORY OF URBAN PLANNING AND DESIGN IN THE 21<sup>ST</sup> CENTURY* (2002).
- 152** THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).
- 153** David R. Godschalk and David C. Rouse, AMERICAN PLANNING ASSOCIATION, *SUSTAINING PLACES: BEST PRACTICES FOR COMPREHENSIVE PLANNING* (2015), available at [http://www.joslynutoc.org/apa\\_sustaining\\_places.pdf](http://www.joslynutoc.org/apa_sustaining_places.pdf).
- 154** NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT, *NEIGHBORHOOD PLANNING PLAYBOOK* (Dec. 2015), available at <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/neighborhood-planning-playbook.pdf>.

<sup>155</sup> Ryan Hutchins, *Weisbrod Promises Neighborhood-Specific Rezoning*, POLITICO NEW YORK (May 22, 2014), available at <https://www.politico.com/states/new-york/city-hall/story/2014/05/weisbrod-promises-neighborhood-specific-zoning-013219>.

<sup>156</sup> THE CITY OF NEW YORK, HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR PLAN (May 2014), available at [https://www1.nyc.gov/assets/housing/downloads/pdf/housing\\_plan.pdf](https://www1.nyc.gov/assets/housing/downloads/pdf/housing_plan.pdf).

<sup>157</sup> FURMAN CENTER, STATE OF NEW YORK CITY'S HOUSING AND NEIGHBORHOODS IN 2018 (Jul. 2018), available at ([https://furmancenter.org/files/sotc/2018\\_SOC\\_Full\\_2018-07-31.pdf](https://furmancenter.org/files/sotc/2018_SOC_Full_2018-07-31.pdf)).

<sup>158</sup> Roderick M. Hills & David Schleicher, *Planning an Affordable City*, 101 IOWA L. REV. 91 (2015).

<sup>159</sup> *Id.*

<sup>160</sup> *Id.*

<sup>161</sup> *Id.*

<sup>162</sup> *New York Works, A Jobs Plan for All New Yorkers*, THE CITY OF NEW YORK, (2020), <https://newyorkworks.cityofnewyork.us/overview/>.

<sup>163</sup> NEW YORK CITY COUNCIL, ENGINES OF OPPORTUNITY (Nov. 2014), available at <https://council.nyc.gov/land-use/wp-content/uploads/sites/53/2017/05/Engines-of-Opportunity-Full-Report.pdf>.

<sup>164</sup> NEW YORK CITY COUNCIL, SECURING OUR FUTURE (Mar. 2020), available at [http://council.nyc.gov/data/wp-content/uploads/sites/73/2020/03/Securing-our-Future\\_Report-2020.r4.pdf](http://council.nyc.gov/data/wp-content/uploads/sites/73/2020/03/Securing-our-Future_Report-2020.r4.pdf)

<sup>165</sup> *Comprehensive Plan Standards for Sustaining Places*, AMERICAN PLANNING ASSOCIATION, (2020), <https://www.planning.org/sustaining-places/compplanstandards/>.

<sup>166</sup> NEW YORK CITY COUNCIL, DOING OUR FAIR SHARE, GETTING OUR FAIR SHARE (Feb. 2017), available at <http://council.nyc.gov/wp-content/uploads/2017/02/2017-Fair-Share-Report.pdf>.

<sup>167</sup> *Id.*